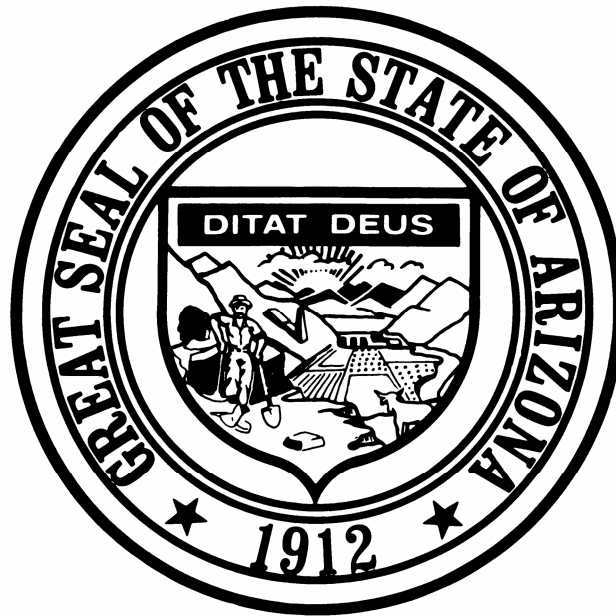


# State of Arizona

*Jobs Program*

*Policy Manual*



**ARIZONA DEPARTMENT OF ECONOMIC SECURITY  
Division of Employment and Rehabilitation Services  
Employment Administration**

1789 W. Jefferson Street

Phoenix, AZ 85007

Phone: (602) 542-5954

Fax: (602) 542-6310

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY



## **JOBS PROGRAM**

## **PROGRAM INSTRUCTIONS: DES 2-10**

## **SUBJECT: TABLE OF CONTENTS**

### **100 PURPOSE**

The DES Vision, Mission and Guiding Principles provide the expected framework for the Jobs Program design and service delivery.

### **200 JOBS PROGRAM PRELIMINARY ORIENTATION**

This section describes the Jobs Program Preliminary Orientation requirements.

### **300 THE JOBS PROGRAM REFERRAL AND SELECTION PROCESS**

This section explains the referral of Temporary Assistance for Needy Families (TANF) cash assistance recipients to the Jobs Program and the requirements for selecting those individuals for case management and employment services. An All Family household is a household with at least one dependent child in which one parent is deceased, disabled or does not reside with the family. A Two-Parent Employment Program (TPEP) household is a household with two parents who have at least one dependent child in common, reside in the home and are able to work. This section applies to All Family households.

### **400 JOBS PROGRAM CASE MANAGEMENT**

The primary duties of Jobs Program case managers are to assist Jobs Program participants in obtaining a job, a better job, and onto a career, until the ultimate goal of self-sufficiency is achieved. Jobs Program case management is the process used to move participants from where they are **now** to the goal of self-sufficiency. The process includes a variety of strategies, techniques and resources designed to build on the participant's strengths. Effective case management involves educating participants on how to do things for themselves as opposed to having it done for them. Participants must be actively involved in all phases of case management including the development of their individual Employment and Career Development Plan. This section describes the initial Jobs Program case management appointment, the Employment and Career Development Plan, ongoing case management, post-employment follow-up, Jobs Program case closures, and the recording of information in the case record.

### **500 WORK PARTICIPATION RATE, WORK ACTIVITIES, EXCLUSIONS, AND TEMPORARY DEFERRALS**

The Jobs Program is funded through the Federal TANF Block Grant. The Department of Health and Human Services (DHHS) has established work participation rates that must be met by states in order to continue to receive federal funding. DHHS reviews and monitors the State of Arizona for compliance. Failure to meet the work participation requirements can result in a reduction of Arizona's TANF funding. This section describes the work participation rate, the federally countable work activities, documenting verification and monitoring participation requirements, non-countable state activities, exclusions and temporary deferrals from participation.

## **600 JOBS PROGRAM SUPPORT SERVICES, CHILD CARE ASSISTANCE, AND TRANSITIONAL SERVICES**

The Jobs Program offers funding for temporary and targeted supportive services to assist a participant who may need to work, look for work, prepare for work, or to participate in required activities. Jobs Program Support Services, TANF Child Care Assistance and Transitional Benefits are available to assist Jobs Program participants to engage in work activities, accept and maintain employment, and to successfully make a transition from welfare dependence to financial independence through working.

## **700 EMPLOYMENT TAX INCENTIVES**

This section discusses tax incentives for employers who hire Jobs Program participants.

## **800 NON-COMPLIANCE WITH THE JOBS PROGRAM**

As a condition of TANF eligibility, all mandatory recipients are required to participate with the Jobs Program. When a mandatory participant does not comply with Jobs Program requirements, they may be subject to a financial penalty called a “sanction.” The Code of Federal Regulations [Chapter 45 Part 261.13](#) requires that a reduction or termination of TANF cash assistance benefits be imposed when a Jobs Program participant fails or refuses to participate with the Jobs Program without a good reason or “good cause”. Financial penalties may result in a hardship to a family without other alternatives of support. Penalties must be applied with caution and after much consideration. Sanctioning should **never** be the first line of action when looking at an incident of non-compliance. The case manager’s **first** line of action is to encourage the participant to participate and/or to remove any barriers which are preventing engagement with Jobs Program work activities. To ensure that penalties are applied uniformly and the participant is given due process, this section provides guidelines that must be applied in all instances of non-compliance and describes the elements of the sanction process.

## **900 TWO-PARENT EMPLOYMENT PROGRAM (TPEP)**

The Two-Parent Employment Program (TPEP) is a TANF cash assistance program for families with both parents residing in the home. TPEP households are potentially eligible for TANF cash assistance for six months within a twelve-month period. TPEP is based on a “pay after performance” premise. This premise includes the requirements for these individuals to comply for three days of Jobs Program requirements prior to TPEP cash assistance approval. TPEP payments are issued twice a month on the 1<sup>st</sup> and 15<sup>th</sup>. With some exceptions, TPEP parents are subject to the same policies as all TANF cash assistance recipients. This section addresses these exceptions in relation to referral, selection, three-day compliance requirements, TPEP work participation rate requirements, TPEP non-compliance, temporary deferrals and special requirements for TPEP parents under age twenty.

**1000 GENERAL INFORMATION**

This section includes information regarding the TANF Refugee Resettlement Program, Arizona Families F.I.R.S.T., Family Connections, Vocational Rehabilitation, participant case records, issue resolution, fair hearings, displacement, the Americans with Disabilities Act, civil rights, reporting child abuse, sexual harassment, case transfers and purging case records and Health Insurance Portability Act of 1996.

**1100 GLOSSARY**

This section contains definitions used throughout the Jobs Program Policy Manual.

## ARIZONA DEPARTMENT OF ECONOMIC SECURITY



### **JOBS PROGRAM**

### **PROGRAM INSTRUCTIONS: DES 2-10.100**

### **SUBJECT: PURPOSE**

## **100 PURPOSE**

The DES Vision, Mission and Guiding Principles provide the expected framework for the Jobs Program design and service delivery.

### **Vision**

Every child, adult and family in the State of Arizona will be safe and economically secure.

### **Mission**

The Arizona Department of Economic Security promotes the safety, well-being and self-sufficiency of children, adults and families.

### **Guiding Principles**

The DES Guiding Principles guide the development and decision making for the Jobs Program.

### **Systems of Care**

Systems of care must be customer and family driven, effectively integrated, protect the rights of families and individuals, allow smooth transitions between programs, build community capacity to serve families and individuals, emphasize prevention and early intervention, and respect customers, partners, and fellow employees.

### **Services**

Services must be evaluated for outcomes, coordinated across systems, personalized to meet the needs of families and individuals, accessible, accountable, and comprehensive. Services must be culturally and linguistically appropriate and respectful, and be strength-based and delivered in the least intrusive manner.

## **101 SCOPE**

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) provides federal funding for the purpose of assuring that needy families receive TANF cash assistance and employment services to help them avoid long-term welfare dependence. PRWORA includes the establishment of the Temporary Assistance for Needy Families (TANF) block grant that includes cash assistance, work program funds, and child care funds for individual state usage.

**102 GOALS**

The Department has established specific goals and objectives for the Jobs Program. Goals include:

- TANF recipients obtain employment.
- TANF recipients stay employed and achieve self-sufficiency.
- Barriers to employment and self-sufficiency are removed for TANF recipients.
- TANF recipients are involved in all aspects of program design, service planning and service delivery.
- Design of the service delivery system is community-driven, unique to each geographic area, integrated, client-friendly, and provided in collaboration with community and faith-based organizations.

**103 JOBS PROGRAM CONTRACTED PROVIDERS**

The DES contracted provider will assist participants in moving from TANF public assistance to employment by providing:

- Employment services for those who are job ready or need help preparing for work and finding a job.
- Support services for those who need help to remove barriers to employment.
- Training, work experience, or education for those who need to learn new job skills, improve current job skills, or increase work history.

**104 QUESTIONS REGARDING POLICY OR PROCEDURES**

Requests for technical assistance regarding policy or procedures may be sent through e-mail to the EA Policy & Training Unit at **+EA Policy & Training**. Please include the word **Jobs** in the **subject line** of emails requesting policy or procedure clarifications.

**105 AVAILABILITY OF MANUAL MATERIAL**

The Jobs Online Policy Manual, used to administer the Jobs Program, is available through the Jobs Web Page at <http://www.azdes.gov/jobs>.

**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.200****JOBS PROGRAM PRELIMINARY ORIENTATION****200 JOBS PROGRAM PRELIMINARY ORIENTATION**

This section describes the Jobs Program Preliminary Orientation requirements

**201 JOBS PROGRAM PRELIMINARY ORIENTATION**

TANF cash assistance applicants must contact the Jobs Program for a **Preliminary Orientation** as part of the TANF cash assistance eligibility requirement. The Family Assistance Administration (FAA) directs mandatory applicants to the Jobs Program to fulfill the requirement. FAA will deny TANF cash assistance applications when the applicant fails, without good cause, to attend the orientation.

**Purpose**

- The purpose of conducting the Jobs Program Preliminary Orientation before FAA determines eligibility for TANF cash assistance is to ensure the TANF cash assistance applicant has the opportunity to learn the purpose of the Jobs Program and the connection of their participation with the program to the ongoing receipt of their cash assistance. In the overview of the Jobs Program, staff will explain the following information to the applicant:
- The Jobs Program case manager and the participant will identify the activities that will improve the participant's employability skills and lead to financial independence through a mutual agreement;
- The Jobs Program can provide supportive services to participants to assist in removing their identified barriers to employment; and
- The consequences for failing to participate in the agreed upon work activities without good cause.

The Jobs Program Preliminary Orientation is considered the **initial** contact for TANF cash assistance applicants. Once their TANF has been approved, these TANF recipients will be considered active Jobs Program participants. The signed Personal Responsibility Agreement (PRA) in their FAA case file is their official agreement to comply and participate with the requirements of the Jobs Program. Once selected for participation, intensive Jobs Program case management begins.

**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.300****SUBJECT: THE JOBS PROGRAM REFERRAL AND SELECTION PROCESS****300 THE JOBS PROGRAM REFERRAL AND SELECTION PROCESS**

This section explains the referral of Temporary Assistance for Needy Families (TANF) cash assistance recipients to the Jobs Program and the requirements for selecting those individuals for case management and employment services. An All Family household is a household with at least one dependent child in which one parent is deceased, disabled, or does not reside with the family. A Two-Parent Employment Program (TPEP) household is a household with two parents who have at least one dependent child in common, reside in the home and are able to work. This section applies to All Family households. Refer to [Chapter 900](#) for policy regarding TPEP cash assistance recipients.

**301 REFERRAL**

Following approval of TANF cash assistance, the recipient, unless exempt, is referred through an automated process to the Jobs Program. Exemptions are determined at the time of eligibility determination. TANF cash assistance recipients are required, as a condition of eligibility, to participate in employment and training activities provided by the Jobs Program. TANF cash assistance applicants are advised during the eligibility process of all TANF mandatory requirements including participation and compliance with the Jobs Program. Applicants are required to sign an agreement, the PRA, indicating their understanding and agreement to comply with the employment and training requirements of the Jobs Program.

**302 SELECTION**

Upon receiving the automated referral, the Jobs Program must select individuals to attend the initial Jobs Program case management appointment. This process ensures that the TANF cash assistance recipient can be assessed and an Employment and Career Development Plan can be completed within fourteen calendar days of the receipt of the referral. Recipients must be given at least five days notice prior to the appointment.



**303 INITIAL JOBS PROGRAM CASE MANAGEMENT APPOINTMENT NOTICE**

When a participant is selected to attend the initial Jobs Program case management appointment, the participant is automatically sent the *Initial Jobs Program Case Management Appointment Notice* (JB-101). The notice includes the following information:

- A reminder that they must work with the Jobs Program to continue receiving TANF cash assistance;
- The date, time and address of the office where the initial Jobs Program case management appointment will be held;
- The Jobs Program contact telephone number to call if assistance is needed to attend the initial Jobs Program case management appointment;
- An explanation that “good cause” will be considered if the Jobs Program is unable to assist them due to a barrier preventing them from attending the initial Jobs Program Case Management appointment;
- The procedure for rescheduling the initial Jobs Program case management appointment if they cannot attend on the date scheduled; and
- The consequences of failing, without a good reason, to attend the initial Jobs Program case management appointment.

**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.400****SUBJECT: JOBS PROGRAM CASE MANAGEMENT****400 JOBS PROGRAM CASE MANAGEMENT**

The primary duties of Jobs Program case managers are to assist Jobs Program participants in obtaining a job, a better job, and onto a career, until the ultimate goal of self-sufficiency is achieved. Jobs Program case management is the process used to move participants from where they are **now** to the goal of self-sufficiency. The process includes a variety of strategies, techniques, and resources designed to build on the participant's strengths. Effective case management involves educating participants on how to do things for themselves as opposed to having it done for them. Participants must be actively involved in all phases of case management including the development of their individual Employment and Career Development Plan. This section describes the initial Jobs Program case management appointment, the Employment and Career Development Plan, ongoing case management, post-employment follow-up, Jobs Program case closures, and the recording of information in the case record.

**401 INITIAL JOBS PROGRAM CASE MANAGEMENT APPOINTMENT**

Generally, the first one-on-one contact the participant will have with their Jobs Program case manager occurs at the Initial Jobs Program Case Management Appointment. This opportunity should be used to build rapport and establish trust with the participant. At the initial appointment, the Jobs Program case manager will explain the Jobs Program Rights and Responsibilities and the Child Care Assistance Rights and Responsibilities to the participant, complete assessments, complete the Self-Sufficiency Matrix, and together, with the participant, develop a comprehensive Employment and Career Development Plan.

**Jobs Program Rights and Responsibilities**

Each participant attending the Initial Jobs Program Case Management Appointment must receive an explanation of the Jobs Program rights and responsibilities. This explanation will include the rights and responsibilities of the participant and the rights and responsibilities of the Jobs Program in obtaining the participant's goal of self-sufficiency.

The *Rights and Responsibilities Form* (JA-002) is used to verify that the Jobs Program case manager has explained the Jobs Program rights and responsibilities to the participant. Both the participant and the Jobs case manager sign the *Rights and Responsibilities Form* (JA-002) to indicate that the participant has received an explanation of the program and understand their rights and responsibilities in the Jobs Program. A copy of the form is given to the participant and a copy is retained in the case file. The case notes must reflect that the participant was provided with an explanation of the Jobs Program Rights and Responsibilities.

The following policies shall be applied when the participant refuses to sign the *Rights and Responsibilities Form* (JA-002):

- Do not sanction the participant.
- Annotate the form with “participant refuses to sign”.
- The case manager’s signature indicates that the participant was provided an explanation of the participant’s rights and responsibilities and a copy of the form.
- Document the case record with the participant’s refusal to sign.

### **Child Care Rights and Responsibilities**

Each participant attending the initial Jobs Program case management appointment must receive an explanation of the Child Care Administration’s rights and responsibilities. This explanation will include the rights and responsibilities of the participant and the rights and responsibilities of the Child Care Administration.

The *Child Care Assistance Rights and Responsibilities Form* (CC-001-A) is used to verify that the Jobs Program case manager has explained the rights and responsibilities to the participant when they request TANF Child Care Assistance provided by the Department of Economic Security’s Child Care Administration (CCA). The participant and the Jobs Program case manager must sign the *Child Care Assistance Rights and Responsibilities Form* (CC-001-A). A copy of this form is given to the participant and a copy is retained in the case file. The case notes must reflect that the participant was provided with an explanation of the CCA Rights and Responsibilities.

The following policies shall be applied when the participant refuses to sign the *Child Care Assistance Rights and Responsibilities Form* (CC-001-A):

- Do not sanction the participant.
- Annotate the form with “participant refuses to sign”.
- The case manager’s signature indicates that the participant was provided an explanation of the participant’s rights and responsibilities and a copy of the form.
- Document the case record with the participant’s refusal to sign.
- Document the Referral to Child Care screen (NIS090) in JAS to notify the Child Care Administration of the participant’s refusal to sign.

## **Assessment**

Assessment is the process of gathering and evaluating data regarding the factors that affect the participant's ability to achieve self-sufficiency. The Jobs Program case manager will focus more heavily on assessment at the initial Jobs Program case management appointment and will continuously update and revise the data as an ongoing process. The Jobs Program case manager will use a strength-based approach to assessment that is holistic and family oriented, taking into account the situation of **all** family members living in the household to help determine the participant's life circumstances. Assessments should identify participant motivations, strengths, barriers, and resources. Assessments allow the Jobs Program case manager to determine where participants are in relation to the goal of reaching self-sufficiency.

- **Career Assessments**

Career assessments will have components related to the participant's employability (work history, reasons for leaving previous employment, salary history, education and training, etc.). This information helps determine appropriate work activities.

- **In-Depth Barrier Assessments**

In-depth barrier assessments are used to identify barriers to employment, such as: lack of transportation or child care, physical or mental health issues, substance abuse, domestic violence, criminal justice system involvement, and learning disabilities. The Jobs Program case manager must understand that the participant may be reluctant to discuss personal or family problems. The role of the Jobs Program case manager is to facilitate an environment in which the participant feels at ease discussing these issues with the Jobs Program case manager. Information gathered will aid in determining whether there is a need for supportive services to assist the participant in their successful transition to self-sufficiency.

- **Specialty Assessments**

In addition to the career and in-depth barrier assessment, the need for further specialty assessments may be identified. Specialty assessments must be conducted by a licensed or certified professional.

- **Medical Assessment** – A medical assessment takes into account a participant's medical history and current medical condition for the purpose of determining the participant's physical functional level and ability to participate.
- **Psycho-Social Assessment** – A psycho-social assessment takes into account the participant's history, emotional status and current behavior in their environment to determine the participant's functional level.
- **Educational Assessment** – An educational assessment will be completed to determine a participant's reading, writing and math functional level.

- **Vocational Assessment** – A vocational assessment identifies a participant's employment/vocational skills, interests and potential success in a particular employment field or job.

### **Self-Sufficiency Matrix**

The Self-Sufficiency Matrix is used to show a participant's progress towards goals. This must be completed with the participant at the initial Jobs Program case management appointment and quarterly thereafter until the Jobs Program case closes. Completion of the Self-Sufficiency Matrix at the time of the initial Jobs Program case management appointment provides a baseline for monitoring progression based on the plan.

## **402 THE EMPLOYMENT AND CAREER DEVELOPMENT PLAN**

The Employment and Career Development Plan is created through conversation and interaction between the participant and Jobs Program case manager and by information gathered through assessments. It is an agreement between the participant and the Jobs Case Manager. The Employment and Career Development Plan is used to record employment goals, work activities, supportive services, and the signature of the case manager and the participant. Included in the Employment and Career Development Plan are well-defined action steps for the participant and the Jobs Program case manager, so that each understands their role in implementing the plan. The Employment and Career Development Plan must be designed to assist participants in becoming self-sufficient before their time limited TANF cash assistance runs out.

### **Employment Goals**

Employment goals should be realistic to enable the participant to become employed at the earliest opportunity. The local labor market and the ability of the participant must be considered when assisting the participant in identifying employment goals.

### **Work Activities**

Work activities enable the participant to reach their employment goal. The Jobs Program case manager will explore allowable activities with the participant. The skilled case manager will assist in creating a plan that is most beneficial for the participant and their family needs while staying within program guidelines. The plan must also include clear-cut information for the participant such as the locations for each assigned activity, the time frames for completing each activity, and the weekly hours of scheduled participation in each activity.

### Supportive Services

The Jobs Program case manager will develop and arrange resources in a partnership with the participant that will support the implementation of the plan. A critical responsibility of the Jobs Program case manager is to help the participant identify what resources are available to meet their needs and how to access services. Supportive services are available from a variety of sources. Some resources are present in the participant's network of family, friends, community, and faith-based organizations. Some services are available through the Jobs Program. The plan must identify which supportive services will be provided, who will provide the services, locations of the service providers, and any applicable time frames for seeking services.

### Required Signatures

The Jobs Program case manager must ensure that the participant **understands** how to execute the plan. The signatures of the participant and the Jobs Program case manager are required on the Employment and Career Development Plan to document mutual agreement and understanding.

### Special Planning Requirements

There are special planning requirements for participants whose TANF cash assistance eligibility is due to expire as a result of TANF rules, teen parents, participants in a deferred status, and those involved with other state agencies.

- **Life-Time Limits Plan**

The Life-Time Limits plan serves clients whose benefits will terminate because the participant is about to reach the life-time limit or will lose eligibility due to the children in the family aging-out of TANF eligibility.

- **Teen Parent Employment Plan**

The Teen Parent Employment plan is employment-focused to assist teen parents in providing a stable home environment for themselves and their children including: education goals, career goals, provision of parenting and marriage/relationship skills, and strategies to reduce the risk of subsequent teen pregnancy.

- **Deferred Status Plan**

The Deferred Status plan encourages a client deferred from federal work requirements to participate in appropriate state-defined and/or federal activities while in a deferred status to ensure continued progress toward employment and long-term self-sufficiency.

- **Coordinated Case Plan For Participants Involved With Other State Programs**

When a participant is involved with Child Protective Services (CPS), [Family Connections](#), [Vocational Rehabilitation](#), or the [TANF Refugee Resettlement Program](#), the Jobs Program case manager must coordinate planning with these programs. CPS will always take the lead in case planning and execution.

#### **403 ONGOING CASE MANAGEMENT**

As the participant implements the Employment and Career Development Plan, it will be necessary to monitor their progress. This opportunity should be used to give positive reinforcement for any successes no matter how small. When a participant is experiencing difficulty implementing the plan, the Jobs Program case manager should explore the reasons for the difficulty. Identify what is working and what is not working in the plan and make revisions to the Employment and Career Development when necessary. The need for further assessments may also be identified.

#### **404 POST-EMPLOYMENT FOLLOW-UP**

When a participant obtains employment and the TANF cash assistance case closes, Jobs Program case management must continue as this is a crucial time for many participants as they try to juggle the demands of a new job and their family needs. Case management must continue for at least 180 days after the TANF cash assistance case closes to ensure the participant stays employed, has career advancement opportunities, and does not return to TANF cash assistance. The Jobs Program case manager will continue to provide proactive case management and support services during this time which includes developing a Post- Employment Transition Plan and extended case management.

##### **Post-Employment Transition Plan**

Planning should occur within two weeks of the employed participant's TANF cash assistance cash case closure. The Jobs Program case manager must negotiate a plan with the participant to help maintain self-sufficiency and sustain permanent unsubsidized employment. The plan should identify goals and opportunities with the potential for career advancement and sustainable long-term self-sufficiency. The plan must include information about the participant's anticipated need for transitional child care services for employment and ongoing training and skill development activities to ensure career advancement.

**Extended Case Management**

To provide extended Jobs Program case management, the Jobs Program case manager will contact the participant at least every thirty days through the 180<sup>th</sup> day after the employed participant's TANF cash assistance case closes. Extended case management includes determining the participant's status and evaluating needs for additional support services, case management, or assisting with transitional child care issues or other transitional services as needed. As appropriate, the Jobs Program case manager will assist participants in linking to and enrolling in other employment and training assistance programs, providing assistance with and advocacy for the participant and their family members in obtaining transitional child care, AHCCCS eligibility and other appropriate government programs. The Jobs Program case manager will provide supportive services to the participant including assistance with training and career advancement and barrier reduction to ensure long term self-sufficiency.

**405 JOBS PROGRAM CASE CLOSURES**

The Jobs case manager must close the Jobs case when any of the following occur:

- A sanction is applied and it has reached the% sanction level.
- The Family Assistance Administration (FAA) has stopped the participant's TANF cash assistance and employment follow-up is not required.
- The participant has successfully completed the 180 day Post Employment Transition Plan.

**406 RECORDING INFORMATION IN THE CASE RECORD**

The case record should provide ongoing documentation of the participant's movement towards self-sufficiency and evidence of the strategies and resources the Jobs Program case manager is using to impact the desired outcome. The case manager will keep documentation focused on how events in the participant's life will affect the plan. Case notes are tools for organizing and analyzing the progress of each program participant. They are also planning tools for determining what strategies are working and which activities or supportive services need to be changed. The case record should provide a clear, concise record of where the participant is in obtaining each goal in this process. It also clearly states what the Jobs Program case manager is doing to assist in the change.



**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.500****SUBJECT: WORK PARTICIPATION RATE, WORK ACTIVITIES,  
EXCLUSIONS AND TEMPORARY DEFERRAL****500 WORK PARTICIPATION RATE, WORK ACTIVITIES, EXCLUSIONS AND  
TEMPORARY DEFERRALS**

The Jobs Program is funded through the Federal TANF Block Grant. The Department of Health and Human Services (DHHS) has established work participation rates that must be met by states in order to continue to receive federal funding. DHHS reviews and monitors the State of Arizona for compliance. Failure to meet the work participation requirements can result in a reduction of Arizona's TANF funding. This section describes the work participation rate, the federally countable work activities, documenting, verification and monitoring participation requirements, non-countable state activities, exclusions and temporary deferrals from participation.

**501 WORK PARTICIPATION RATE**

Participation in Jobs Program activities is required for all work eligible TANF cash assistance recipients. A certain percentage of adults and minor heads-of-households receiving TANF cash assistance must participate in Federal work activities for a minimum number of hours each week averaged during a month. The chart below illustrates the percentage based on the TANF Program in which the recipient participates.

Type Of recipient	Percentage
All Families	50%
TPEP	90%

This chart shows the minimum number of hours averaged per week during a month that the above listed individuals must complete in order to meet the Federal Work Participation Rate requirements.

Type Of Recipient	Minimum Number Of Hours Averaged Per Week During A Month
Single parent with child under 6 years old	20
Other adult recipients	30
TPEP	<a href="#">Refer to Section 900 TPEP</a>

**502 FEDERAL WORK ACTIVITIES**

Federally mandated work activities are the only activities considered in the calculation of Arizona's work participation rate. All work activities must focus on the long-term employment of the participant at the earliest possible opportunity. There are two types of federal work activities, **Core Activities** and **Supplemental Activities**. Federal work activities may be assigned separately or in combination. Supplemental Activities will count toward the federal work participation rate **only if** the first twenty hours per week come from Core Activities.

Countable work activities must be supervised on a daily basis. Consistent with the universally understood definition of supervision used in the workplace, Arizona defines supervision as an activity performed by a work place designee which includes, but is not limited to:

- Work related guidance and constructive criticism,
- Mentoring,
- Assignment of daily work,
- Oversight of work assignments, and
- Instruction and evaluation of skills.

This section will identify Core Activities, Supplemental Activities, and any applicable limitations for assigning activities and exceptions for teen participants. Participants must be engaged in activities within **five calendar days of completion of the initial Employment and Career Development Plan.**

### **Core Activities**

- **Unsubsidized Employment**

Unsubsidized employment is all full or part-time employment with wages paid in totality by the employer. Helping participants find permanent, unsubsidized employment with wages that meet the Fair Labor standards and provide a benefits package, which will enable participants to support their families, is the ultimate goal of the Jobs Program. Unsubsidized employment must meet or exceed the State Minimum Wage requirements with the exception of self-employment. The following are countable types of unsubsidized employment:

- **Wages and salaries** are defined as employment in which hourly pay, including tips, meets or exceed the State Minimum Wage.
- **Commission Earnings** are defined as earnings from fees or percentages paid for services or the production or sale of goods.
- **Casual Labor** is defined as intermittent or short-term employment with a normal duration of one to three days in length. Countable, casual labor must pay at least the State Minimum Wage. Examples include, but are not limited to: day labor, short-term babysitting, on-call work, or odd jobs.
- **Self-Employment** is defined as income generated working for one's self rather than for others. The number of hours of self-employment counted toward participation is determined by calculating the individual's gross income, minus business expenses, divided by the Federal Minimum Wage.

- **Subsidized Employment**

Subsidized employment is paid employment in a public sector, private sector or any organization that receives a subsidy from TANF or other public funds to offset the cost of wages and benefits paid by the employer to a participant for a trial period. At the end of the trial period, the employer is expected to retain the participant as a regular employee without receiving a subsidy. One such program is Arizona's JOBSTART. Participants in subsidized employment must receive the same wages, benefits, and working conditions as other employees of the company who are performing comparable work. Because subsidized employment often offers an avenue to employment and gives the participant the benefits of real wages, it is preferable to work experience. Also, as paid employees, participants pay into the Social Security system and may qualify for Federal and State Earned Income Tax Credits and Unemployment Insurance, leading to increased long-term economic security. The employer must meet or exceed State Minimum Wage requirements. Justification is required when a subsidized employment activity will be in excess of six months *i.e. participant has a learning disability and needs extra time to learn.*

Arizona recognizes "supported work" for individuals with disabilities as subsidized employment in an integrated setting for wages consistent with those paid to non-disabled workers with similar job functions.

Jobs Program case managers must assess and determine if the participant has adequate work experience and/or occupational training to meet an employer's minimum hiring requirements. This determination will be used to assess whether additional training is needed.

- **On-the-Job Training**

On-the-Job Training (OJT) is training skills essential to perform a specific job that the employer, in the public or private sector, has agreed to provide to a TANF participant in exchange for a subsidy to offset the cost of training provided to the participant. OJT includes a training plan that is a formal, written program that contains a job description listing the skills to be learned, general employment competencies and occupational specific skills, an evaluation of the participant's progression and schedule indicating the estimated dates of completion of each skill. OJT participants must receive the same wages, benefits, and working conditions as other employees of the company who are performing comparable work. Upon completion of the training, the employer is expected to retain the participant as a regular employee without receiving a subsidy for a minimum of six months. The employer must meet or exceed the State minimum wage requirements. "Supported work" for individuals with disabilities may be considered OJT if it includes onsite training.

- **Job Search and Job Readiness Assistance**

Job Search and Job Readiness Assistance consist of activities designed to help the participant to prepare for seeking employment and obtaining employment including:

- **Structured Job Search activities** such as identifying employment opportunities, applying for employment, participating in employment interviews, and participating in Job clubs where participants share experiences, successes, job leads and referrals. Employers may be present at Job clubs to accept applications and interview prospective employees.
- **Job Readiness activities** include workshops delivered in a classroom setting. These workshops incorporate a standardized curriculum and are designed to teach resume writing, interviewing techniques, and expectations in the work place.
- **Life skills training** consisting of basic life skills to enable participants to be successful in the workforce. Activities include balancing personal life circumstances and employment obligations, budgeting, household management, interpersonal skills, decision making skills, and time management.
- **Substance abuse and mental health treatment or rehabilitation activities** for those who are **otherwise employable**. Such treatment or therapy must be determined to be necessary and certified by a licensed qualified medical or mental health professional. A qualified medical or mental health care professional is defined as a licensed physician, registered nurse, a licensed physician's assistant, or other personnel acting on the doctor's behalf. The medical or mental health care provider is required to complete and sign a statement indicating the type, length and frequency of treatment. The Jobs Program case manager may determine that the participant is "otherwise employable" by completing an employability assessment.

The Jobs Program case manager is responsible for the assignment and daily supervision of **Structured Job Search** activities. Daily supervision of a job search participant means a case manager has assigned activities and ensures client time is properly accounted for. There will be daily access to the case manager or other employment service/provider/worker working in collaboration with the Jobs Program case manager. The case manager of a designee will confirm the progress and monitor activity with face to face meetings with participants. The specific requirements for the weekly activities must be documented in the Employment and Career Development Plan and the case progress notes. Participants are required to maintain a daily log of all related contacts. The log must include the date of contact, type of contact, position that was applied for and of interest, the name of the employer and contact information, and a daily record of the time spent in engaging in such activities

For **Job Readiness** activities, the instructor or facilitator is responsible for providing daily supervision, and for individuals participating in **substance abuse or mental health treatment**, supervision is provided by the treatment provider.

Participants assigned to this activity will be scheduled to participate for at least the minimum number of hours required within a calendar week. If a participant does not have sufficient hours in substance abuse treatment, mental health treatment or rehabilitation alone to count in the federal work participation rate, the participant may still be counted in the calculation of the state's work rate using State Activities.

Job Search and Job Readiness activities are limited to six weeks in a federal fiscal year or twelve weeks if the state has been identified as a "needy state" of which no more than four weeks can be consecutive in either case. Currently, Arizona meets the "needy state" definition therefore, the 12 week limit applies. A week is defined as a seven-day period and **any** amount of **counted** participation in the Job Search/Job Readiness activity within that period uses a week toward the countable limit in that activity.

- **Work Experience**

Work experience is any supervised **unpaid** work preformed in the public or private sector that improves the employability of an individual who is not otherwise able to obtain employment. It allows participants to develop skills, good work habits, and a current work history. Work experience is considered for participants who have been unable to find paid employment, lack entry level skills, or need to develop current job references. Recruitment of work experience providers must focus on employers who may potentially hire qualified program participants.

Prior to placement, potential work experience providers are evaluated to match the participant with the work that is related to the participant's employment goals. The onsite supervisor or the supervisor's designee is responsible for confirming the participant attendance and progress at the work site. All participants in a work experience activity must be covered by workers compensation as mandated in Arizona Revised Statute §46-299.I. Work experience placements occur at any bona fide business, including private for-profit and non-profit organizations, as well as public agencies.

The case manager will work closely with the participant and the provider to ensure placement is beneficial to the participant and that all required work hours are performed to the satisfaction of the provider.

**Note:** The placement of Jobs Program participants with private or public sector employers, except for unsubsidized employment, cannot cause the displacement of persons currently employed by participating employers. Arizona in accordance with 45 CFR 261.70 uses a grievance procedure to resolve displacement complaints.

Internships/externships are included under this core activity as a portion or extension of education or training in either the public or private sector that provides structured work experience in a specific occupational field. The Department's Volunteer Services Program provides training in a specific occupation and potential employment opportunities within the Department of Economic Security. Jobs Program staff may contact the Volunteer Services Office by calling (602) 347-6379 or sending an email to [volunteerservices@azdes.gov](mailto:volunteerservices@azdes.gov) to register a volunteer.

With the exception of the Volunteer Services Program, all work experience providers must sign an agreement with the Jobs Program contracted providers. This agreement requires the following conditions be observed and maintained as a condition of the agreement with the Jobs Program contracted provider:

- Maintain records and prepare reports regarding the progress of the participant as prescribes by the Jobs Program contracted provider including written verification of attendance, including the:
  - start and end dates of the activity;
  - weekly scheduled hours;
  - skills the participant will learn and the expected competency date; and
  - the training methods the provider will use.
- The worksite supervisor must contact the Jobs Program case manager when concerns arise; and
- Supervision must be provided daily for all participants.

This agreement must also include that work experience program assignments will not result in any of the following:

- Displacement of any currently employed worker or position, including partial displacements such as, the reduction in hours of non-overtime work, wages, or employment benefits.
- Impairment of existing contract for services or collective bargaining agreements.
- Employment or assignment of a Jobs Program participant in filling the position of any previous employee who was laid off from the same or substantially equivalent job with the same employer. This includes termination of any regular employee or reductions in the workforce in order to fill the vacancy created with a participant whose wages are subsidized under the Jobs Program.
- Infringement on promotional opportunities of any currently employed individual.

Generally, a participant engaged in this activity is subject to the Fair Labor Standards Act (FLSA). Some work experience programs may be exempt from the FLSA. It is the responsibility of the Department of Labor (DOL) to determine whether or not the FLSA applies to a particular work experience program. Any questions regarding the FLSA should be directed to the Wage and Hour Division of the U.S. Department of Labor or 1-866-4-USWAGE, TTY 1-877-889-5627 or the following web site: <http://www.dol.gov/esa/whd/flsa/index.htm>.

When a work experience program is subject to the FLSA, a participant that participates in the work experience activity with that provider for more hours than the monthly TANF cash assistance amount divided by the State Minimum Wage must be issued a supplemental payment for the difference. Jobs Program staff will evaluate the participant's entitlement for the FLSA supplemental payment following the conclusion of each month and if an FLSA supplemental payment is required, process the payment in the Jobs Automated System by the seventh calendar day.

- **Community Service**

Community service activities are structured programs designed for the direct benefit of the community and must be supervised. Community service activities are established among public or nonprofit organizations and must serve a useful purpose in the community in fields such as health care, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, and public safety. The participant will be covered by ADES for Workers Compensation. Community services activities may assist Jobs Program participants who are not able to move immediately into unsubsidized employment improve their employability skill level. The activity must be related to the participant's employment goals.

Community service activities include any of the following:

- Working with park and recreation programs;
- Assisting with local school activities;
- Services such as typing and filing for a non-profit agency;
- Supervised work with faith-based, small community based and community improvement organizations;
- Any other organizations that provide supervision for participants in activities that improve employability while offering a service to the community; and
- Court or other similarly mandated community service activities.

Participants who have been court ordered to complete community service activities are allowed to use the court ordered activity as their program mandated activity. Participants may request to participate in a certain community service activity. The Jobs Program case manager will determine if the request meets the requirements as outlined in this section.

Generally, a participant engaged in this activity is subject to the Fair Labor Standards Act (FLSA). Some community service programs may be exempt from the FLSA. It is the responsibility of the Department of Labor (DOL) to determine whether or not the FLSA applies to a particular community service program. Any questions regarding the FLSA should be directed to the Wage and Hour Division of the U.S. Department of Labor or 1-866-4-USWAGE, TTY 1-877-889-5627 or the following web site: <http://www.dol.gov/esa/whd/flsa/index.htm>.

When a community service program is subject to the FLSA, a participant that participates in the community service program for more hours than the monthly TANF cash assistance amount divided by the State minimum wage must be issued a supplemental payment for the difference. Jobs Program staff will evaluate the participant's entitlement for the FLSA supplemental payment following the conclusion of each month and if an FLSA supplemental payment is required, process the payment in the Jobs Automated System by the seventh calendar day.

- **Vocational Education Training**

Vocational education training consists of organized educational or training programs that are directly related to preparation of participants for employment in a current or emerging occupation requiring training **other than a baccalaureate or advanced degree**. Vocational education training programs that include instruction for those that need basic and remedial education and/or English as a Second Language are required to certify in writing that the instruction is less than 50 percent of the course and that the instruction is embedded in the vocation educational training course. A copy of the curriculum is retained in the participant case file. Participants may not be assigned to this activity if the participant already possesses a self-supporting skill for jobs available in the local area. Documentation must be entered into the case record identifying what skills the participant currently possesses and how the education will improve the participant's employability.

Vocational education training is provided by educational or training organizations which include: vocational-technical schools, community colleges, postsecondary institutions, proprietary schools, non-profit organizations, and secondary schools that offer vocational education (as long as the vocational education that is offered is not part of a secondary school degree). Training activities include specific trades, occupations or vocations such as nursing, computer repair or welding. The educational or training facility must be legally authorized, accredited or recognized in Arizona as providing a program to prepare students for gainful employment.



Participation in educational activities must only be authorized as a short-term activity that focuses on the participant's employability; not solely on the attainment of a degree or certificate. The education or training activities are designed to attain knowledge and skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have a high turnover due to substandard wages or working conditions. The participant must remain in good standing with the institution and make satisfactory progress, as defined by the institution.

For current recipients, federal law limits vocational education training as a core activity to a total of twelve months during the participant's lifetime of assistance. The twelve month limit applies to any hours of participant in the activity regardless of whether the participant has enough hours to count in the work participation rate. Participation in vocational education training beyond that time will be considered a supplemental activity. No more than thirty percent of participants may be engaged in vocational educational training statewide to count toward the work participation rate.

**Note:** The federal government also identifies "Caring for a Child of a Community Service Participant" as an allowable activity; however, Arizona's Jobs Program does not include this as an approved activity.

### **Supplemental Activities**

Supplemental activities will count as participation **only** after the first twenty hours have been met in core activities. ***There are exceptions noted for certain teen participants.***

- **Job Skills Training Directly Related to Employment**

Job skills training directly related to employment are training and education for job skills required by an employer to provide the participant with the opportunity to obtain or advance employment. The training may also provide adaptation to the changing demands of the workplace. Jobs skills training focuses on educational or technical training and may include customized training to meet the needs of a specific employer, general training that prepares an individual for employment, or Vocational Education Training continuing after the twelve-month time limit if it meets the Job skills activity. Post secondary education classes taken through a State certified college or university that leads to a bachelor's or advanced degree counts as a job skills training activity when it is directly related to employment.

English for speakers of other languages and basic education (remedial education) can be counted as long as the instruction is explicitly focused on skills for employment or combined with job training. When it is a prerequisite for employment by an employer, this activity may include education leading to a General Educational Development (GED) or a high school equivalency diploma.

- **Education Directly Related to Employment**

Education directly related to employment is an educational program that is related to a specific occupation, job, or job offer. This includes courses designed to provide the knowledge and skills for specific or specialized occupations or work settings and may also include English for speakers of other languages and basic education. This activity can be provided to participants who do not have a high school diploma or a GED. In addition, when it is a prerequisite for employment by an employer, this activity may include education leading to a GED or a high school equivalency diploma.

Participants must make “good and satisfactory progress” in order for their educational hours to count. The criteria for good and satisfactory progress” includes achieving the standard required by the institution for passing the course, making progress that will allow the completion of the educational program within the time limit noted on the participant’s Employment and Career Development Plan, or obtaining the degree, certificate, license, or diploma as specified.

**Exception:** Participation in Education Directly Related to Employment for an average of twenty hours per week during a month **meets** the work participation requirement for single teen custodial parents under the age of twenty who are heads of household and married teen parents under the age of twenty.

- **Satisfactory Attendance in High School or GED Preparation Classes**

Satisfactory attendance in a high school or GED preparation classes counts as a supplemental activity when attendance is in accordance with the requirements of the secondary school or in a course of study leading to a certificate of general equivalence, in the case of a participant who has not completed secondary school or received a GED certificate. In addition to satisfactory attendance, participants must be making “good and satisfactory progress”. “Good and satisfactory progress includes achieving the standard required by the institution for obtaining the certificate or diploma and making progress that will allow completion of the education program within the time limit noted on the participant’s Employment and Career Development Plan.

As a condition of eligibility for TANF cash assistance dependent teen children age sixteen through eighteen who do not have a high school diploma or a GED, must participate in this activity.

Satisfactory attendance in high school or GED preparation meets the work participation requirement for:

- Single teen custodial parents under the age of twenty who are heads-of-household,
- Married teen parents under the age of twenty, or
- Dependent teens age sixteen through eighteen who do not have a high school diploma or GED.

### **503 DOCUMENTATION, VERIFICATION AND MONITORING REQUIREMENTS**

All actual hours of participation must be verified prior to recording actual participation hours. All Federal work activities must be monitored for participant progress and to ensure the work participation requirements are being met. This section describes documentation, verification and the monitoring requirements for the countable Federal work activities.

#### **Unsubsidized Employment, Subsidized Employment and On-the-Job Training**

The number of actual participation hours is determined by written evidence from the employer through pay stubs or other employer-produced documents substantiating the number of hours worked. When written evidence cannot be obtained, well documented phone calls to the employer are used to verify a participant's number hours of work. Actual participation hours include hours for which the individual is **paid**, but does not work including paid leave, excused absences and holidays.

Verification of the actual number of countable hours of participation is obtained through the receipt of pay stubs or other employer produced documented containing the participant's name, actual hours of participation, the name of the employer, and the name and phone number of the person verifying the hours. This includes recognized employment verification services such as TALX. These documents serve as the verification of the actual hours worked and are maintained in the participant's case file. The type of verification must be recorded in the Jobs Program automated system to ensure an electronic audit trail of the complete information concerning verification. In addition, verification obtained by phone as to the actual hours is documented and retained in the case record.

The Jobs Program may not count more hours toward the participation rate for a self-employed individual than the individual's self-employment income (gross income minus business expenses) divided by the federal minimum wage. The verification process is the same process used by the Family Assistance Administration during the determination of initial and continued eligibility for TANF Cash Assistance.

When the actual hours of participation are established and verified, they are recorded in the automated system for the Jobs Program.

The actual hours of participation may be projected for a maximum of six months based on one full payment cycle/pay period that is representative of continuing circumstances. The hours are based on evidence received and verified by the employer. When there is a change in the participant's actual verified hours, the hours are recalculated and a new six-month projection period is applied. If the pay cycle/pay period does not represent continuing circumstances, actual hours are used rather than projecting.

Unsubsidized employment must be monitored at a minimum of every 30 days.

### **Job Search and Job Readiness Assistance**

Actual hours in the **Job Search** component are established by using information recorded on the daily log of employment contacts. The participant is required to submit the log of daily contacts on a weekly basis. Case managers must review the logs, verify its completeness and accuracy and determine the number of countable hours to be recorded in the Jobs Program automated system.

Determining countable hours of actual participation in the **Job Readiness** component is done through written confirmation of attendance by life skill instructors or workshop facilitators. Determining countable hours of actual hours of participation in substance abuse treatment, mental health treatment, or rehabilitation is obtained through written confirmation of attendance from the medical professional. The treatment or rehabilitation provider will monitor and document the progression and participation of the participant. The documentation must be submitted by either the participant or responsible third-party no less frequently than bi-weekly.

All case managers, instructors and facilitators are required to sign off on client activities that include hours of participation, attendance, and progress reports.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of daily logs, attendance records, and review of the instructor's, facilitator's or medical professional's signed statements, monitoring to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the Department's Program Evaluation and Monitoring Section as part of the programmatic case review process to ensure compliance with the mandated requirements.

Participants assigned to this activity will be scheduled to participate for at least the minimum number of hours required within a calendar week. If the participant does not have sufficient hours in substance abuse treatment, mental health treatment, or rehabilitation alone to count in the participation rate, they may still be counted in the calculation of the state's work rate by combining job readiness activities with other allowable activities.

When the actual hours of participation are established and verified, they are recorded as such in the automated system for the Jobs Program.

### **Work Experience**

On a weekly basis, written evidence of actual hours of participation must be obtained by the Jobs Program. Examples of verification include written verification such as time sheets, sign in/sign out logs, and written and signed statements from the work experience provider (on-site supervisor or designee) substantiating the daily actual hours of participation. The written verification must include the participant's name, actual daily hours of participation, name of the work experience provider, and the name and phone number of the person verifying the hours.

At the time of placement, the Jobs Program case manager communicates to the work experience provider and the participant that weekly verification must be submitted. This written documentation serves as the documentation and verification of the participation hours and must be retained in the participant's case file.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of the written verification to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the department's Program Evaluation and Monitoring section as part of the programmatic case review process to ensure compliance with mandated requirements.

### **Community Service**

On a weekly basis, written evidence of actual hours of participation must be obtained by the Jobs Program. Examples of verification include written verification such as time sheets, sign in/sign out logs, and written and signed statements from the community service provider (on-site supervisor or designee) substantiating the daily actual hours of participation. The written verification must include the participant's name, actual daily hours of participation, name of the community service provider, and the name and phone number of the person verifying the hours. This written documentation serves as the documentation and verification of the participation hours and must be retained in the participant's case file.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of the written verification to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the department's Program Evaluation and Monitoring section as part of the programmatic case review process to ensure compliance with mandated requirements.

### **Vocational Education**

On a weekly basis, written evidence of actual hours of participation must be obtained by the Jobs Program. The number of participation hours is determined by written verification that identifies the number of actual hours the participant attended the vocational education activity each day in a week. The written verification must include the participant's name, actual daily hours of participation, name of the vocational education provider, and the name and phone number of the person verifying the hours. The provider and the participant sign the written verification attesting to the truthfulness of the information provided. This written documentation serves as the documentation and verification of the participation hours and must be retained in the participant's case file.

Countable hours consist of classroom time and laboratory hours for which educational training credits are received. Supervised structured study sessions as defined by the class curriculum at the educational institution will be counted as actual hours of participation; this must be notated in the case file with written evidence.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of the written verification to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the department's Program Evaluation and Monitoring section as part of the programmatic case review process to ensure compliance with mandated requirements.

### **Job Skills Training Directly Related to Employment**

On a weekly basis, written evidence of actual hours of participation must be obtained by the Jobs Program. The number of participation hours is determined by written verification that identifies the actual number of hours the participant attended the jobs skills training directly related to employment activity each day in a week. The written verification must include the participant's name, actual daily hours of participation, name of the jobs skills training directly related to employment provider, and the name and phone number of the person verifying the hours. The provider and the participant sign the written verification attesting to the truthfulness of the information provided. This written documentation serves as the documentation and verification of the participation hours and must be retained in the participant's case file.

Actual hours spent in class as well as time spent performing clinical requirements, or other additional activities required for approved job skills training are countable. Time spent in supervised structured study sessions as defined by the class curriculum at the training institution is countable; this must be notated in the case file with written evidence.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of the written verification to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the department's Program Evaluation and Monitoring section as part of the programmatic case review process to ensure compliance with mandated requirements.

### **Education Directly Related to Employment**

On a weekly basis, written evidence of actual hours of participation must be obtained by the Jobs Program. The number of participation hours is determined by written verification that identifies the actual number of hours the participant attended the education directly related to employment activity each day in a week. The written verification must include the participant's name, actual daily hours of participation, name of the education directly related to employment provider, and the name and phone number of the person verifying the hours. The provider and the participant sign the written verification attesting to the truthfulness of the information provided. This written documentation serves as the documentation and verification of the participation hours and must be retained in the participant's case file.

Actual hours spent in class as well as time spent performing clinical requirements, or other additional activities required for approved educational components are countable. Time spent in supervised structured study sessions as defined by the class curriculum at the educational institution is countable; this must be notated in the case file with written evidence.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of the written verification to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the department's Program Evaluation and Monitoring section as part of the programmatic case review process to ensure compliance with mandated requirements.

### **Satisfactory Attendance in High School or GED Preparation Classes**

On a weekly basis, written evidence of actual hours of participation must be obtained by the Jobs Program. The number of participation hours is determined by written verification that identifies the actual number of hours the participant attended school or GED class each day in a week. The written verification must include the participant's name, actual daily hours of participation, name of the school or provider, and the name and phone number of the person verifying the hours. The school or GED preparation provider and the participant sign the written verification attesting to the truthfulness of the information provided. This written documentation serves as the documentation and verification of the participation hours and must be retained in the participant's case file.

Actual hours spent in class as well as time spent performing clinical requirements, or other additional activities required for approved educational components are countable. Time spent in supervised structured study sessions as defined by the class curriculum at the educational institution is countable; this must be notated in the case file with written evidence.

Jobs Program staff verify the actual hours of participation by conducting monthly random reviews of the written verification to ensure all information is timely, accurate and complete. In addition, quality assurance reviews are completed no less than quarterly by the department's Program Evaluation and Monitoring section as part of the programmatic case review process to ensure compliance with mandated requirements.

The criteria for “good and satisfactory progress” includes achieving the standard required by the institution for obtaining the certificate or diploma that will allow the completion of the education or training program within the time limit noted on the participant’s Employment and Career Development Plan. Good and satisfactory progress should be verified and documented monthly but no less than quarterly by using semester grade reports or mid-term evaluations.

### **Absences from Scheduled Work Participation**

Absences from scheduled work hours for employed participants for which they are **paid**, including paid leave, can count as actual hours toward the work participation rate. For individuals in **unpaid** work activities, up to two days per month of excused missed participation can be counted as actual hours toward the work participation rate, with a limit of ten days per year. The hours will count as long as the participant was *scheduled* to participate when the absence occurred.

### **Excused Absences**

Excused absences can include sick days, medical appointments for the participant or the participant’s family members, required appointments with other service providers, court dates, and job interviews. Any other absence that does not result in disciplinary action or termination by the work activity provider will be considered an excused absence.

### **Holidays**

In addition to excused absences, holidays may count as actual hours for the work participation rate. Arizona recognizes the following holidays:

New Years Day	January 1
Martin Luther King, Jr. Day	3 <sup>rd</sup> Monday in January
President’s Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Columbus Day	2 <sup>nd</sup> Monday in October
Veteran’s Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Christmas Day	December 25

When any of the holidays listed falls on a Sunday, the following Monday is observed as a holiday. Holidays which fall on a Saturday are observed on Friday.



**504 STATE ACTIVITIES**

State activities are not considered in the calculation of the federal work participation rate. Assignment in state activities should be short-term in nature and serve to eliminate barriers to participation in countable federal work activities. Participation in state activities may be the best first-step toward participation in countable activities for certain individuals. Active participation in state activities can be in conjunction with federal work activities.

When appropriate, some families with barriers may be best served by activities that count under the federal work participation rate. One example being Job Search and Job Readiness, which includes substance abuse training, mental health treatment, and rehabilitation activities. Individuals participating in state activities are not subject to the sanction process. The following is a list of state activities and a brief description of each:

- **Housing/Utility Issue Resolution**

Housing/Utility issue resolution can be assigned to a participant who may be facing eviction or being homeless. The role of the Jobs Program case manager is to facilitate immediate access to affordable and adequate housing in order for the participant to begin or return to participation in federal work activities.

- **Family Issue Resolution**

Family issue resolution can be assigned to a participant who may have a family or household member requiring temporary short-term attention or monitoring. Jobs Program case management should include assisting the participant and family members with finding a resolution and/or making referrals for appropriate services.

- **Drug/Alcohol Abuse Resolution**

Drug/Alcohol abuse resolution can be assigned to a participant who admits to a substance abuse problem and is seeking or receiving treatment that is preventing them from full participation in federal work activities. Jobs Program case management should include providing participants with substance abuse treatment, counseling and support, including a referral to the Arizona Families F.I.R.S.T. Program.

- **Child Care Issue Resolution**

Child care issue resolution can be assigned to a participant who is trying to resolve a temporary child care issue, which is preventing them from participating in federal work activities.

- **Transportation Issue Resolution**

Transportation issue resolution can be assigned to a participant who is resolving a temporary transportation issue that is prohibiting them from full participation in federal work activities.

- **Other Barrier Issue Resolution**

Other barrier issue resolution can be assigned to a participant who is working to resolve specific documented issues as a barrier that is prohibiting them from full participation in federal work activities. Some participants may have physical or mental health issues or low cognitive functioning. Many of these participants are often able to move into employment and may need specialized services to help them prepare for employment. The Jobs Program case manager must assist the participant in finding appropriate specialized services.

- **Parenting Skills**

Parenting skills can be assigned to a participant who cannot participate in federal work activities but will benefit from attending parenting skills training.

- **Life Skills**

Life skills can be assigned to a participant who would benefit from life skills and has an issue keeping them from participating in federal work activities.

- **Social Security Benefits**

This activity can be assigned to a participant who is deferred from participation due to a long-term disability.

- **Child Support**

This activity can be assigned to a participant who is potentially eligible for child support and has an issue keeping them from participating in federal work activities.

- **Job Search Non-Countable**

Job Search Non-Countable can be scheduled in combination with countable work activities but is not included when counting the number of hours needed to meet the federal participation rate.

### Verification/Documentation Requirements

Verification and documentation must justify why and how the decision to assign a participant to state activities was made. Specific action steps must be outlined when the Employment and Career Development Plan is developed for barrier resolution. The Jobs Program case manager must actively assist the participant in locating available resources to resolve any issues.

## 505 EXCLUSIONS

As a result of the Deficit Reduction Act of 2005 (DRA), a parent otherwise mandated to participate in work activities who is providing care for a disabled family member living in the home, who does not attend school on a full-time basis, provided the need for such care is supported by medical documentation is considered a non-work eligible individual and will be excluded from the Work Participation Rate denominator. **Disabled** is defined as a physical or mental condition expected to last 30 days or more as supported by medical documentation. **Family member** includes any individual living in the home that is related to the parent or parents through blood, marriage, or adoption. **Attending school fulltime** is defined as attending an entire school day and does not or is not expected to miss more than the equivalent of two school days per month.

### Verification Requirements

Written verification must be obtained from a licensed physician or other personnel acting on the doctor's behalf and indicate that the parent is required to be the caretaker of the disabled family member who is not attending school full-time. This verification must include all of the following:

- Identify by name the person who is disabled and requiring the care;
- Specify the period of disability, that the disabled relative is not attending school full-time and that the caretaker is needed full-time; and
- Include a prognosis of the disabled family member's recovery or the date of re-examination.

In order to accurately exclude specific caretakers from the TANF denominator, Jobs Program staff will:

- Monitor the exemption end date;
- Give adequate notification to the caretaker that their exemption from participation is ending; and
- Establish a plan to ensure that work activities are assigned in a timely manner. Work activities **MUST** be assigned by the first of the month in which the caretaker becomes work eligible in order to ensure a full month of participation.

When verification is provided showing the disability is permanent or ongoing, the end date should be set out for a **six-month period** or the new disability end date, using whichever date is sooner

**506 TEMPORARY DEFERRALS**

Although continuous participation in the Jobs Program is required, certain circumstances may temporarily prohibit participation. When a situation arises, the case manager may determine that a participant should be temporarily deferred from participation. Participants eligible for a temporary deferral are encouraged to participate in appropriate state and/or federal work activities to ensure continued progress toward employment and long-term self-sufficiency. A participant meeting criteria for a temporary deferral may choose to participate in work activities. If the participant is subsequently unable to participate, a sanction will not be imposed.

**Disability**

A participant is eligible for a deferral due to a disability when verification is obtained certifying that he or she is mentally or physically incapable of engaging in work activities and/or employment. This verification must be provided by a licensed physician or other authorized personnel acting on the doctor's behalf. The Jobs Program case manager must assist the participant in obtaining disability verification when the participant is experiencing difficulty.

A participant with a disability may choose to participate and receive reasonable accommodation to facilitate participation. If the participant is subsequently unable to participate due to the disability, a sanction will not be imposed.

A participant who is deferred due to a disability must be contacted at least monthly to determine if the participant is able to begin participating in federal or state work activities. The contact must be documented in the case notes.

### **Verification Requirements for Disability Deferrals**

Acceptable verification of a disability is a written statement by a licensed physician or other personnel acting on the doctor's behalf. The statement must indicate the participant is unable to or very limited in their ability to engage in work activities and/or employment due to physical or mental health conditions. Physician's statements must include:

- Employment limitations, including the extent and duration of any limitations,
- A specified period of disability,
- A prognosis for recovery,
- A statement of any reasonable accommodations that would enable the participant to work or participate, and
- The date re-examination or re-evaluation is recommended.

### **Domestic Violence**

A participant can be temporarily deferred if the participant or the participant's children are victims of domestic violence and participation in work activities causes an immediate threat to their own safety or the safety of their children. The case manager must treat all claims of domestic violence as valid and act immediately to determine whether a temporary deferral is needed.

The case manager will grant a temporary deferral if participation in work activities threatens the safety or may cause an immediate threat of physical, mental, or emotional harm to the participant, the participant's children or any children residing with the participant. The participant is allowed to define their perception of immediate threat.

If identification and verification of abuse exists, the case manager will refer the participant to appropriate available services and will grant a temporary deferral for up to a maximum of six months per incident.

### **Verification Requirements for Domestic Violence Deferrals**

Acceptable verification may include but is not limited to the following:

- Declarative statements from the participant. Declarative statements may be the only method a participant claiming domestic violence has of providing verification, even though other methods may be available;
- Police reports;
- Court records;
- Medical records;
- Physical evidence of domestic violence;
- Documentation from shelter staff, an attorney, clergy, medical or other professional from whom the participant has sought assistance in dealing with domestic violence;
- Statement from DES Child Protective staff who has substantiating evidence that domestic violence exists within the participant's home and is having an adverse effect on the participant;
- Other corroborating evidence, such as statements from other individuals with knowledge of the circumstances that provide the basis for the claim; or
- Other documentation, which could include news stories from television, newspapers, or radio.

### **Care of a Dependent with a Disability**

The case manager will temporarily defer a participant who provides verification that the participant needs to be present to care for a dependent who has a physical or mental disability, when no other member of the household is available or suitable to provide the care.

### **Verification Requirements for Participants That Care For a Disabled Dependent**

Acceptable verification for participants that need to be present to care for a dependent with a disability is a written statement by a licensed physician or other personnel acting on the doctor's behalf. The statement must indicate the participant is unable to or very limited in, their ability to engage in work activities and/or employment due to the need to provide care for a dependent with physical or mental health conditions. Physician's statements must include:

- Limitations including the extent and duration of any limitations,
- A specified period of disability,
- A prognosis for recovery,
- A statement of any reasonable accommodations that would enable the participant to work or participate, and
- The date re-examination or re-evaluation is recommended.

### **Child Under Twelve Months**

A temporary deferral can be granted to a participant in a single-parent family or a non-parent relative personally caring for a child who is under the age of twelve months for a period of not more than twelve months in the participant's lifetime. This deferral does not apply to teenaged custodial parents who do not have a high school diploma or its equivalent (GED).

### **Monitoring Requirements For The Child Under Twelve Months Deferral**

Jobs Program staff are responsible for tracking the number of months when a participant receives a deferral due to having a child under the age of twelve months. The deferral period must be documented in the case notes. The Jobs Program case manager must continue to monitor the status and remove the participant from this deferral status when one of the following applies:

- The participant exhausts the twelve-month lifetime limit for this deferral;
- The participant's child turns one year of age; or
- The participant chooses to participate in the Jobs Program.

### **Child Under Twelve Weeks**

The Jobs Program case manager can grant a temporary deferral to unmarried teen custodial parents under age eighteen, who do not have a high school diploma or GED when they are personally caring for a child less than twelve weeks of age.

**Monitoring Requirements for Child Under Twelve Weeks Deferral**

Jobs Program staff must monitor the deferral status and remove the participant from a deferral status when the participant's child reaches twelve weeks of age or the participant chooses to participate in the Jobs Program, whichever comes first.

**Notification Requirements**

Deferred participants must be notified in writing of the period of time that they are deferred from participation and the reason for the deferral.



**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.600****SUBJECT: JOBS PROGRAM SUPPORT SERVICES, CHILD CARE  
ASSISTANCE AND TRANSITIONAL SERVICES****600 JOBS PROGRAM SUPPORT SERVICES, CHILD CARE ASSISTANCE AND  
TRANSITIONAL SERVICES**

The Jobs Program offers funding for temporary and targeted supportive services to assist a participant who may need to work, look for work, prepare for work, or to participate in required activities. Jobs Program support services, TANF child care assistance and transitional benefits are available to assist Jobs Program participants engage in work activities, accept and maintain employment, and to successfully make a transition from welfare dependence to financial independence through working.

**601 JOBS PROGRAM SUPPORT SERVICES**

Case managers are expected to thoroughly explore resources within the community to meet a participant's needs prior to utilizing Jobs Program support services. The intent of Jobs Program support services is to offer a resource for participants who are actively engaged in work activities and assist participants with services that help overcome barriers which are restricting participation in work activities. Jobs Program funding for support services is allowable only to purchase services **directly for the participant** and must relate to their Employment and Career Development Plan. Jobs Program funding cannot be used to make payments to, or on behalf of participants who receive payments for the same services provided by other programs. The case manager must document how and why the decision to provide a Jobs Program support service was made.

**Eligibility for Jobs Program Support Services**

Jobs Program support Services are available to TANF cash assistance recipients to enable participation with the Jobs Program. Jobs Program support services are provided based on individual need and available program resources. These services are also available to participants whose TANF cash assistance case closes and it has been verified the participant is employed in unsubsidized employment at the time of case closure. These individuals are eligible for an additional six months of Jobs Program support services. Case managers must establish the participant's ability to sustain ongoing expenses if applicable.

**602 TANF CHILD CARE ASSISTANCE**

Jobs Program participants are eligible for TANF child care assistance provided by the Department of Economic Security's Child Care Administration for their dependent children under the age of thirteen. The purpose of TANF child care assistance is to enable participation in work activities, attendance of case management appointments, and obtaining or maintaining employment. TANF child care Assistance pays for all or part of the cost of child care depending on what the child care provider charges.

Prior to referring participants to the Child Care Administration, Jobs Program case managers must review the *Child Care Rights & Responsibilities* form with the participant and obtain the participant's signature on the form. The participant must be informed that they are responsible for selecting a child care provider. Case managers must not select a particular child care provider nor recommend a specific type of child care provider. Information on Arizona Child Care Resource & Referral should be made available to the participant at: [www.arizonachildcare.org](http://www.arizonachildcare.org). Arizona Child Care Resource & Referral is a community service that matches parents seeking child care with child care resources. The telephone number for Child Care Resource & Referral is 1-800-308-9000. Advise the participant that they need to ask the child care providers whether they accept DES authorized payments when seeking child care services. Also, advise the participant that they are responsible for any additional charges beyond the amount paid by the Child Care Administration.

TANF child care services are initiated through an electronic referral to the DES Child Care Administration. A DES child care specialist authorizes child care services. Jobs Program case managers must ensure that referrals to the Child Care Administration are made in a timely manner to allow a reasonable amount of time to arrange child care services. The first date that child care services may be authorized is the date the referral is made in the automated system. Jobs Program case managers are required to instruct the participant to contact the child care specialist within two workdays of the referral to arrange child care services. In addition, the Jobs Program case manager will notify the Child Care Administration, through the automated process, of any changes in the scheduled of assigned activities, including any gaps in participation and when participation stops.

Participants in need of child care assistance to attend the initial Jobs Program Case Management Appointment can contact the Jobs Program local office prior to the appointment date. When this occurs, the Jobs Program case manager will make an expedited electronic referral to the Child Care Administration.

**Note:** For TPEP Families, a referral will be initiated for each parent when **both** parents are participating in the Jobs Program and/or employment. Child care referrals are **not** initiated when only one TPEP parent participates.

### **603 REFUSAL TO ACCEPT SERVICES**

Participants may refuse Jobs support services including child care assistance, but may not refuse to participate in Jobs Program work activities and/or to accept and maintain employment as a result of refusing Jobs Program support services. The case manager must ensure the participant understands the requirement to participate even when the individual refuses to accept a Jobs Program support service.

**604 TRANSITIONAL SERVICES**

Jobs Program participants who are verified to be entering unsubsidized employment and lose eligibility for TANF cash assistance may be eligible for transitional services. Transitional services are designed to help participants stay employed and are intended to support a family's transition from TANF to self-sufficiency. The case manager will ensure the participant understands the potential services that are available. Transitional services are offered by the Jobs Program, the Child Care Administration, and the Family Assistance Administration (FAA).

**Jobs Program Transitional Services**

Jobs Program transitional services are available for two years from the first day of the month following the month of the TANF cash assistance case closure due to verified unsubsidized employment. Jobs Program services must include assistance with education and training opportunities to support job retention.

**Transitional Child Care Services (TCC)**

TCC is available for up to two years beginning the first day of the month following TANF cash assistance closure. The TCC family is required to contribute to the cost of child care based on a sliding fee scale. The Jobs Program case manager will alert the child care specialist for potential eligibility for TCC through an automated process as soon as it is discovered that the participant's TANF cash assistance case has closed due to employment. The Child Care Administration determines initial and continued TCC eligibility.

**Transitional Benefits Offered By The Family Assistance Administration**

- **Transitional Medical Assistance (TMA)** is available for a medical assistance recipient who enters employment. The recipient and their family may be eligible for TMA for up to twelve consecutive months. The Family Assistance Administration determines eligibility for TMA and the Arizona Health Care Cost Containment System (AHCCCS) administers medical care services.
- **Food Stamp Transitional Benefits Assistance (TBA)** is available to a food stamp recipient who loses eligibility for TANF due to employment. The recipient may be eligible for TBA for up to five consecutive months following TANF cash assistance closure. The Family Assistance Administration determines eligibility for TBA but the basic premise is that certain employment income is excluded in the calculation of the food stamp benefit for a total of five months.

**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.700****SUBJECT: EMPLOYMENT TAX INCENTIVES****700 EMPLOYMENT TAX INCENTIVES**

This section discusses tax incentives for employers who hire Jobs Program participants.

**701 EMPLOYER TAX INCENTIVES**

The purpose of employer tax incentives is to offer employers a tax credit for hiring certain kinds of job seekers. The Jobs Program case managers should become familiar with tax incentives relating to their Jobs Program participant and inform employers of the tax credits. Assure employers that there is minimal paperwork needed to claim the tax credits.

**Work Opportunity Tax Credit (WOTC)**

The **Work Opportunity Tax Credit (WOTC)**, authorized by the Small Business Job Protection Act of 1996 (PL 104-188) and extended with the Working Families Tax-Relief Act of 2004 (PL 108-311) is a federal tax credit that encourages employers to hire nine targeted groups of job seekers by reducing employers' federal income tax liability by as much as \$2,400 per qualified new worker, with the exception of Summer Youth Employees.

**WOTC** applies only to new employees hired on or after January 1, 2006 and before December 31, 2007 (the end date is reauthorized retroactively on an annual basis). The new employee must belong to one of ten targeted groups. All new adult employees must work a minimum of 120 or 400 hours. Summer Youth must work at least ninety days, between May 1 and September 15, before the employer is eligible to claim the tax credit. The time period in which the employer must file the IRS form 8850 is twenty-eight days after the new employee begins work.

There are four limits on an employer's use of the WOTC/WtWTC programs:

- No tax credit can be claimed on wages paid to relatives;
- No tax credit can be claimed for federally subsidized on-the-job training. However, wages paid after the subsidy expires can qualify for the credits;
- WOTC and WtWTC cannot both be claimed for the same individual in the same taxable year; and
- No tax credit can be claimed on re-hires.

Welfare-to-Work has merged with WOTC creating the tenth target group, long-term family assistance recipient. The following limitations apply to this group only:

- WOTC is 40% of the qualified first year wages, with a cap of \$10,000, if the new employee works 400 hours or more. If the employee works fewer than 400 hours, the credit is 25% of the qualified first year wages capped at \$6,000.
- WOTC is retained at 50% of the qualified second year wages with a cap of \$10,000 for a maximum two-year credit of \$9,000.

### **Welfare-To-Work Tax Credit (WtWTC)**

The **Welfare-to-Work Tax Credit (WtWTC)** is a federal income tax credit that encourages employers to hire long-term TANF Assistance Recipients. Established by the Taxpayer Relief Act of 1997 and extended by the Working Families Tax-Relief Act of 2004 (PL 108-311), WtWTC can reduce employers' federal tax liability by as much as \$8,500 per new hire.

The **WtWTC** applies to new hires who begin work after December 31, 2003 and before January 1, 2006 (the end date is reauthorized retroactively on an annual basis) and are employed at least 400 hours or 180 days.

The WtWTC Tax Credit is administered under the WOTC certification procedures.

Employers must apply for and receive certification from the State Employment Agency for their new hire before they can claim the tax credit on their federal tax return. The new hire must belong to at least one of nine targeted groups for WOTC or belong in the one targeted group for WtW Tax Credit in order for the employer to qualify for the tax credits.

### **State Tax Credit For Employment Of Temporary Assistance For Needy Families (TANF) Recipients**

For taxable years beginning on or after January 1, 1998, Arizona law provides a credit for employers that employ recipients of Temporary Assistance for Needy Families (TANF). The credit is based on net increases in qualified employment positions. The credit for employing TANF recipients is equal to:

- One-fourth of the taxable wages paid to each qualified employee in the first year or partial year of employment, not to exceed \$500 per new employee;
- One-third of taxable wages paid to each previously qualified employee in the second year of continuous employment, not to exceed \$1,000 per new employee; and
- One-half of taxable wages paid to each previously qualified employee in the third year of continuous employment, not to exceed \$1,500 per new employee.

A qualified employment position is a position that meets all of the following:

- Classified as full-time employment;
- Provides health insurance coverage if the employer offers the coverage to other employees not receiving TANF cash assistance;
- Provides compensation equal to the State Minimum Wage or a wage comparable to that paid to other employees not receiving TANF cash assistance in the same job classification and
- Is listed on the report submitted to the Arizona Department of Economic Security for unemployment purposes.

In order to be placed in a qualified position, the employee must meet all of the following criteria:

- Resident of Arizona,
- Temporary Assistance for Needy Families (TANF) cash assistance recipient at the time hired;
- Employed for at least ninety days during the first taxable year. Periods when the employee's wages are subsidized cannot be counted; and
- Not have been employed by the taxpayer within twelve months before the current hire date.

**Enterprise Zone Tax Credit**

There are twenty-two Enterprise Zones in Arizona including Apache, Cochise, Coconino, Gila, Graham, LaPaz, Mohave, Navajo, Pima, Pinal, Santa Cruz, Western Maricopa, and Yuma counties, Colorado City, City of Benson, City of Chandler, City of Flagstaff, City of Phoenix (two zones), City of Prescott, and City of Tucson & South Tucson. The Enterprise Zone Tax Credit is allowed against the premium tax liability for any employer engaged in trade or business in the enterprise community and hires workers who live and work within the enterprise community. The amount of the tax credit is equal to the following:

- One-fourth of taxable wages paid to an employee in a qualified employment position, not to exceed \$500 per qualified employment position, in the first year or partial year of employment;
- One-third of taxable wages paid to an employee in a qualified employment position not to exceed \$1,000 per qualified employment position in the second year of continuous employment; and
- One-half of taxable wages paid to an employee in a qualified employment position not to exceed \$1,500 per qualified employment position, in the third year of continuous employment.

When the allowable enterprise zone credit exceeds the tax liability, any unused amount may be carried over for up to five taxable years, provided the business remains in the enterprise zone. If the business relocates outside the enterprise zone or the enterprise zone is terminated, the carryover of the tax credit is lost.

A qualified employment position must meet the following requirements:

- Must be a full-time permanent job (1,750 hours per year);
- Must be performed primarily at the zone locations of the business. If an eligible employee in a qualified employment position is transferred or assigned to work in the employer's workplace at a different location that is also located in an enterprise zone and qualifies as a zone location, it may be considered to be continuous employment if it continues to meet all qualified employment position requirements;
- Must include health insurance coverage for the employee for which the employer pays at least 50% of the premium or membership cost. If the employer is self-insured, they must pay 50% of a predetermined fixed cost per employee for an insurance program that is payable whether or not the employee has filed claims;
- Must pay an hourly wage above the "Wage Offer by County", as computed annually by the Department of Economic Security Research Administration Division.
- The employee must have been employed for at least ninety days during the first taxable year. An employee who is hired during the last ninety days of the taxable year will be considered a new employee during the next taxable year. A qualified employment position that is filled during the last ninety days of the taxable year is considered to be a new qualified employment position for the next taxable year; and
- The employee has not been previously employed by the employer within twelve months before the current date of hire.

## **702 EMPLOYEE TAX INCENTIVES**

The purpose of employee tax incentives is to offer employed participants a tax credit for working. The Jobs Program case manager must explain the benefits of the tax credit to participants.

### **Earned Income Tax Credit (EITC)**

The EITC is a federal income tax credit for low-income working individual and families. The credit reduces the amount of tax owed (if any) and may give a refund even if taxes are not owed.



To qualify for the EITC, the participant must meet the following criteria:

- Have a qualifying child living with them in the United States for more than half the year;
- Have earned income from employment or from self-employment;
- Earn less than the specified amount;
- Have investment income less than a specified amount;
- Not have a filing status of married, filing separate;
- Must be a United States citizen or resident alien all year, or a nonresident alien married to a United States citizen or resident alien and filing a joint return;
- Not be a qualifying child of another person;
- Must usually claim a qualifying child who is married as a dependent; and
- Must not be filing Form 2555 or 2555-EZ – Foreign Earned Income.

#### **Advanced Earned Income Credit**

Participants that expect to qualify for the EITC for the upcoming year can choose to have part of the credit in advance. The employer will include part of the credit in the employee's regular pay. The income received from the advance credit is not countable when determining eligibility for most federal programs such as TANF, food stamps, and medical assistance. The Jobs Program case manager will assist the participant in completing the Earned Income Credit Advance Payment Certificate (W-5) and instruct the participant to give it to their employer.

**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.800****SUBJECT: NON-COMPLIANCE WITH THE JOBS PROGRAM****800 NON-COMPLIANCE WITH THE JOBS PROGRAM**

As a condition of TANF eligibility, all mandatory recipients are required to participate with the Jobs Program. When a mandatory participant does not comply with Jobs Program requirements, they may be subject to a financial penalty called a “sanction”. The Code of Federal Regulations [Chapter 45 Part 261.13](#) requires that a reduction or termination of TANF cash assistance benefits be imposed when a Jobs Program participant fails or refuses to participate with the Jobs Program without a good reason or “good cause”. Financial penalties may result in a hardship to a family without other alternatives of support. Penalties must be applied with caution and after much consideration. Sanctioning should **never** be the first line of action when looking at an incident of non-compliance. The case manager’s **first** line of action is to encourage the participant to participate and/or to remove any barriers which are preventing engagement with Jobs Program work activities. To ensure that penalties are applied uniformly and the participant is given due process, this section provides guidelines that must be applied in all instances of non-compliance and describes the elements of the sanction process.

**801 WHAT IS A SANCTION?**

Sanctions are a percentage of the originally approved TANF cash assistance amount deducted from the participant’s monthly TANF cash assistance benefit. The sanction process is progressive and can eventually result in closure of the TANF cash assistance case. The sanction level is based on whether there has been a prior sanction from any agency such as: the Family Assistance Administration (FAA), the Division of Child Support Enforcement (DCSE), or the Jobs Program. A sanction remains on the participant’s record for their lifetime.

A sanction will be imposed **only** after the Jobs Program case manager has addressed all barriers, exhausted all avenues and resources to encourage the participant to participate, and determined that good cause has not been established for non-compliance.

**Sanction Levels**

First sanction – TANF cash assistance is reduced by 25% of the original grant amount for one month for the first incident of non-compliance. The participant gets one 25% sanction in a lifetime.

Second sanction – TANF cash assistance is reduced by 50% of the original grant amount for one month for the second incident of non-compliance. The participant gets one 50% sanction in a lifetime.

Third and subsequent sanctions – TANF cash assistance case is closed and must remain closed for at least one month. The participant can receive an unlimited number of 100% sanctions.

If the participant has served a sanction and recomplies, the next incident of non-compliance will begin and the next sanction level, regardless of the lapse in time, until the 100% level has been reached. Thereafter, all sanctions will begin at the 100% level and result in closure of the TANF cash assistance case.

### **Multiple Sanctions**

It is possible to have a sanction from another administration for the same month; this is called a "multiple sanction". When another agency has imposed a sanction for the same month, the multiple sanction for the benefit month is considered one sanction level.

## **802 SANCTION PREVENTION**

The case manager must provide intensive intervention planning to prevent a sanction. The case manager must continue their attempt to engage the TANF recipient in federal work and/or state activities until they are engaged or the TANF cash assistance case closes. Because the ultimate goal is engagement, whenever contact is made with the non-compliant participant, the case manager is required to encourage participation by asking, if they are willing to cooperate with the Jobs Program requirements.

## **803 WHAT IS AN INCIDENT OF NON-COMPLIANCE?**

An incident of non-compliance occurs when a TANF cash assistance recipient fails to participate with Jobs Program requirements without a good reason or "good cause." Under the following conditions, an incident of non-compliance may result in sanctioning of the TANF cash assistance:

- Failing to appear for scheduled appointments with a Jobs Program case manager:
- Failing to attend scheduled work activities as noted on the Employment and Career Development Plan;
- When a participant's weekly participation hours are less than the scheduled participation hours and it is determined that the remaining hours available during the calendar month are insufficient to meet the federal work participation rate requirement;
- Failing to appear for specialty assessments or appointments as noted on the Employment and Career Development Plan;
- Failing to submit a completed application for employment when required.
- Refusing to accept suitable employment, voluntarily reducing employment hours, or voluntarily quitting employment;
- Falsifying information on Jobs Program forms;

- Behaving in a manner that constitutes a threat or hazard to agency staff or fellow participants; or
- Disrupting a Jobs Program activity or the orderly administration of the overall program such as:
  - Attending but refusing to participate in classes, work shops, or other assigned activities; or
  - Disruptive behavior making it difficult for an instructor or other person to conduct the activity.

#### **804 WHEN NON-COMPLIANCE OCCURS**

When an incident of non-compliance occurs, the Jobs Program case manager must determine whether the non-compliant participant should have been exempt from Jobs Program participation or if they meet the requirements for a temporary deferral from the Jobs Program participation requirements. If these two conditions do not exist, the case manager must determine whether a barrier to participation has been identified and if services have been offered.

When services **have not** been provided to address an identified barrier, the Jobs Program case manager must make every effort to provide the participant available services or refer them to community resources for engagement. If services are not available to remove the barrier(s), the participant will be granted good cause for not participating. The participant should be encouraged to participate in state activities until a service becomes available or the barrier ceases to exist.

When services **have** been provided to address all identified barriers or if no barriers have been identified, the case manager must proceed with the sanction prevention process.

#### **Requesting Good Cause**

The participant must be given an opportunity to explain their reason for not complying with the Jobs Program or state that they intend to cooperate with Jobs Program requirements. This is accomplished by sending the *Request for Good Cause Information Notice* (JB-188) in the Jobs Program automated system within two workdays from the date the incident of non-compliance becomes known to the Jobs Program. This notice must allow the participant ten calendar days, from the date the notice is mailed (day one is the day after the notice is mailed) to contact the Jobs Program case manager to state why they did not work with the Jobs Program or to establish their intent to cooperate with the Jobs Program. This notice also informs the Jobs participant that their TANF cash assistance may be cut or stopped if they fail to contact the Jobs Program case manager and provide a good reason or establish intent to cooperate with the Jobs Program.

**Good Cause Reasons**

Good cause can be defined as any situation or circumstance beyond a participant's control that prevented engagement in Jobs Program work activities. Jobs Program case managers should use reasonable judgment when making good cause decisions. Good cause reasons include, but are not limited to, the following:

- Barriers for which services are not available;
- A participant's illness;
- The participant was required to care for an ill or disabled family member;
- Either the participant or their dependent child had an appointment that could not be rescheduled such as a court ordered appearance, medical/dental appointments, employment interviews, or another comparable appointment;
- The participant experienced a family emergency such as loss of the participant's residence due to fire, flood, or other natural disaster, death of an immediate family member, or other instances of emergency situations;
- The participant was prevented from participating due to inclement weather;
- The participant was not capable of performing the work activity or employment;
- The participant has a temporary lack of transportation with no reasonable alternative means of transportation,
- The participant is a victim of domestic violence;
- Child care for a child who is under 13 years of age was unavailable; unaffordable, or unsuitable; or

**Note:** The Child Care Administration (CCA) will notify the Jobs Program if child care is unaffordable, unavailable or unsuitable through the Jobs Automated System. The participant will not be subject to the sanction process. The participant will be re-referred to the Child Care Administration intermittently to explore the availability of child care services.

- Child care is unavailable for a child age 13 or over who requires adult supervision because:
  - The child is on court ordered probation that requires the child to remain in the home or under house arrest,
  - The child has a disability including mental health or other related issues, or
  - The child would be harmful to himself, herself, or others if left alone.

### **Establishing Good Cause or Providing Intent to Cooperate**

When a participant establishes good cause or indicates a willingness to comply by the due date indicated in the *Request for Good Cause Information Notice* (JB-188), Jobs Program staff will complete the *Good Cause Has Been Established Notice* (JB-104) in the Jobs Program automated system within two workdays. This notice advises the participant that a sanction will not be imposed on their TANF cash assistance because they have either established good cause or they have given their intent to cooperate with the Jobs Program. Additionally, the Jobs Program case manager must make arrangements for the participant to begin engagement in Jobs Program activities.

### **Not Providing Good Cause or Intent to Cooperate**

When the participant has not indicated a willingness to comply or established good cause by the due date in the *Request for Good Cause Information Notice* (JB-188), the case manager will send the *Good Cause Has Not Been Established Notice* (JB-204) within two workdays. This notice advises the participant that the participant did not contact the Jobs Program case manager to either provide a good cause reason for their non-compliance or indicate their intent to cooperate with the Jobs Program. The notice also advises that they will receive a separate notice telling them that their cash assistance may be decreased or stopped and provides instruction on how to prevent their TANF cash assistance from being decreased or stopped. This separate notice is created in the Family Assistance automated system or AZTECS and is referred to as a [Notice of Adverse Action \(NOAA\)](#) and must be completed the same day.

## **805 NOTICE OF ADVERSE ACTION (NOAA)**

All Jobs Program participants must receive a Notice of Adverse Action (NOAA) for each sanction requested by the Jobs Program. This notice provides the participant ten days to contact the Jobs Program to establish their intent to comply and stop the sanction. This allows the participant due process according to the law and the opportunity to file an appeal. Prior to sending the NOAA, Jobs Program staff must determine the [effective month of the sanction](#) and the sanction level.

**Identifying the Effective Month of the Sanction**

The Jobs Program case manager identifies the month the TANF cash assistance benefit can be sanctioned based on whether the sanction is an initial sanction or a progressive sanction. For initial sanctions, when the NOAA is completed **on** or **prior** to the fifth calendar day of the month, the sanction is imposed for the following month. When the NOAA is completed **after** the fifth calendar day of the month, the sanction is imposed the second month following the month the NOAA is completed. For progressive (rollover) sanctions, the Jobs case manager must complete the NOAA on the fifth calendar day of the sanctioned month. Whenever the fifth calendar day of the month falls on a weekend or holiday, the NOAA must be completed the workday before.

**Determining the Sanction Level**

The Jobs Program case manager must determine whether sanctions have been imposed for prior months. When a record of a previous sanction is not found, the sanction level will be 25%. If a 25% sanction has been imposed for one month (regardless of when it occurred), the sanction level will be at the 50% level. If both the 25% and the 50% levels have previously been applied or if the participant has had a 100% sanction, the level will be at 100%.

**Note:** If the participant has served a sanction level and recomplies, the next incident of non-compliance will begin at the next sanction level, regardless of the lapse in time, until the 100% level has been reached. Thereafter, all sanctions will begin at the 100% level and result in closure of the TANF cash assistance case.

### NOAA Requirements

Once the effective month of the sanction has been identified and the sanction level has been established, the Jobs Program case manager will select the appropriate NOAA in AZTECS. The NOAA includes the following information:

- The percentage of the sanction,
- The length of time the sanction will be imposed,
- The benefit amount after the sanction is imposed,
- The month the sanction will be imposed,
- How or why the participant failed to comply, Jobs Program staff will select from a list of common phrases'
- The date and location of the alleged failure to comply,
- That the participant must contact the Jobs case manager by the NOAA due date and indicate a willingness to comply to avoid a sanction being imposed. The NOAA due date is the date auto-populated in the NOAA by which the participant must give intent to comply. The NOAA due date expires on the tenth day following the date the NOAA mails. Day one is the day after the NOAA mails.
- How the participant can stop the sanction from rolling over to the next level,
- The name, address, and telephone number of a specific contact person who will provide more information to the participant about the sanction, and
- The participant can request a [fair hearing](#) if they disagree with the action.

### 806 SUPERVISORY REVIEW

On the same day the *Good Cause Has Not Been Established Notice* (JB-204) and the NOAA are completed, the Jobs Program case manager is required to submit the case record and all supporting documents to support the decision to sanction to the Jobs Program supervisor. The supervisor must review the case record and all verification provided by the case manager on the **same** day the information is submitted. If the supervisor is unable to complete the review on the same day, the review must occur no later than five calendar days from the date the NOAA was completed.



**Supervisory Denial/Corrective Actions**

When the Jobs Program supervisor denies the decision to sanction, the supervisor will document the reason for the denial in the case file. If corrective actions are necessary, the supervisor will notate the actions to be taken and document when the case should be resubmitted for the supervisor to ensure that corrective action was taken. The supervisor will return the case to the Jobs Program case manager who will take appropriate actions to stop the sanction and notify the participant of the reversal of the sanction.

When the supervisor indicates that corrective actions are needed before the sanction can be imposed, the Jobs Program case manager will take corrective action from the point the action was taken that resulted in a negative impact to the participant's right to due process. The case record will then be returned to the supervisor to confirm corrective action was taken and final approval of the sanction.

**Supervisory Approval**

When the Jobs Program supervisor approves the decision to sanction, the supervisor will document their approval in the case record by including their signature, date of approval, percentage, and effective month of the sanction. The supervisor will then return the case to the Jobs Program case manager.

When the supervisor has approved imposing the sanction, the Jobs Program case manager must allow the participant until the NOAA due date to express a willingness to comply.

**Participant Expresses Intent to Comply by the NOAA Due Date**

When the participant contacts the Jobs Program by the NOAA due date and expresses a willingness to comply, Jobs Program staff will complete the *Confirmation of Intent to Cooperate with the Jobs Program Notice* (JB-187) in the Jobs Automated System. This notice advises the participant a sanction will not be imposed and they will receive an appointment notice to come in and discuss their case. Jobs Program staff must immediately send a notice scheduling an appointment to begin engagement.

**Participant Does Not Express an Intent to Comply by the NOAA Due Date**

When the participant does not express a willingness to comply by the NOAA, Jobs Program staff must take action in the Jobs Automated System to recommend a sanction. This action will interface with the Family Assistance Administration's automated system. FAA is responsible for imposing the sanction. Each imposed sanction must last a minimum of one month.

**807 MONITORING SANCTIONED PARTICIPANTS**

All participants who have had a sanction applied must have their sanction monitored. The Jobs Program case manager must continue their attempts to engage the TANF recipient in federal work or state activities until the participant complies or until the TANF cash assistance case is closed, whichever is earlier.

When the participant has not expressed their willingness to comply, the Jobs Program case manager will send the next level NOAA on the fifth calendar day of the each sanction month (when the fifth calendar day falls on a weekend or holiday, the NOAA must be completed on the prior workday). Documentation of supervisory approval is required at each level of sanction unless the case is rolling over to a 50% sanction and there has been **no** contact with the participant.

When the participant was sanctioned 100% and their TANF cash assistance case was subsequently closed, the participant must reapply for TANF cash assistance benefits. FAA will determine eligibility and the reapplication is considered intent to comply with the Jobs Program and they will go through the normal Jobs Program referral and selection process.

**Ending Sanctions**

Participants who have received a Notice of Adverse Action (NOAA) can contact the Jobs Program by the NOAA due date to indicate a willingness to comply. When a participant contacts the Jobs Program to indicate a willingness to comply or to establish good cause, the Jobs Program case manager will complete the *Confirmation of Intent to Cooperate with the Jobs Program Notice* (JB-187). This notice advises the participant their sanction has ended and they will receive an appointment notice to come in and discuss their case. The Jobs Program case manager will indicate the participant's compliance in the Jobs Automated System, sending an alert to FAA to end the sanction, and send the appointment letter to the participant.

**JOBS PROGRAM****PROGRAM INSTRUCTIONS:  
DES 2-10.900****SUBJECT: TWO PARENT EMPLOYMENT PROGRAM (TPEP)****900 TWO-PARENT EMPLOYMENT PROGRAM (TPEP)**

The Two-Parent Employment Program (TPEP) is a TANF cash assistance program for families with both parents residing in the home. TPEP households are potentially eligible for TANF cash assistance limited to six months within a twelve-month period. TPEP is based on a “pay after performance” premise. This premise includes the requirements for these individuals to comply for three days of Jobs Program requirements prior to TPEP cash assistance approval. TPEP payments are issued two times a month on the 1<sup>st</sup> and 15<sup>th</sup>. With some exceptions, TPEP parents are subject to the same policies as all TANF cash assistance recipients. This section addresses these exceptions in relation to referral, selection, three-day compliance requirements, TPEP work participation rate requirements, TPEP non-compliance, temporary deferrals and special requirements for TPEP parents under age twenty.

**901 REFERRAL**

When the Family Assistance Administration (FAA) pre-approves the TPEP TANF cash assistance application, the referral process begins. FAA informs TPEP parents that they have been pre-approved for TPEP TANF cash assistance and advises them that they are required to report to their local Jobs Program office and complete activities for three consecutive days before their TANF cash assistance payments are released. FAA sends each Jobs Program mandatory parent a *TPEP Pre-Approval Notice* (A140). The notice informs the TPEP parent(s) of the location and telephone number of the Jobs Program local office to which they have been referred for case management and the final date they must report or the TPEP cash assistance application will be denied.

**902 SELECTION**

TPEP selection differs from All Families in that the TPEP parent(s) are required to make the first contact with the Jobs Program before selection begins. When the TPEP parent(s) come into the Jobs Program local office, the Jobs Program will verify that FAA has sent the *TPEP Pre-Approval Notice* (A140) and then the Jobs Program will select the TPEP parent(s) from the automated referral process and begin the three-day compliance process.

**903 THREE-DAY COMPLIANCE BEFORE TPEP APPROVAL**

As a part of the FAA TPEP eligibility requirements, each referred TPEP parent must comply with Jobs Program requirements for three days prior to TANF cash assistance approval. The TPEP parent(s) must report to the Jobs Program local office to meet with a Jobs Program case manager. The meeting with the Jobs Program case manager is considered the first day of the three-day requirement. At this meeting the Jobs Program case manager will:

- Explain the [Jobs Program Rights and Responsibilities](#),
- Explain the [Child Care Program Rights and Responsibilities](#),
- Complete [assessments](#),
- Complete the [Self-Sufficiency Matrix](#),
- Assign two more days of activities, and
- Arrange to meet with the parents on the third day to verify completion of the assigned activities.

At the meeting on the third day, when it is verified that the TPEP parents have completed the additional two days of assigned activities, the Jobs Program case manager will notify FAA of the three-day compliance through the automated process and the TANF cash assistance benefits will be released. The Employment and Career Development Plan will be developed for ongoing federal work activities to meet the TPEP work participation rate requirements and any applicable services. All work activities must focus on employment of the TPEP parents at the earliest possible opportunity.

The case manager must retain a separate case record file for each TPEP parent. The case files will be kept together, monitored and case managed as one TPEP household, even if only one parent is actively participating to meet the work participation rate requirements.

When the TPEP parent(s) have completed the initial meeting with the Jobs Program case manager, but do not complete the additional two days of assigned activities, the Jobs Program case manager must close the case following supervisory approval. The Jobs Program case manager will notify FAA of the three-day non-compliance through the automated process which alerts FAA to deny the TPEP cash assistance application.

**904 TPEP WORK PARTICIPATION RATE REQUIREMENTS**

The Federal Work Participation Rate (WPR) requires that 90% of TPEP families be engaged in work activities that meet the work requirement. The number of hours TPEP parents are required to participate in work activities is dependent on whether the household is receiving subsidized childcare. Jobs Program case managers should divide the required hours between the parents that best suits the family's needs.

Type Of Participant	Required Number Of Hours Averaged Per Week During A Month Between Both Parents	Special Requirements Regarding Core Activities
Receives subsidized childcare	55	At least 50 of the hours must come from core activities.
Does not receive subsidized childcare	35	At least 30 of the hours must come from core activities. 35 hours may be completed by one parent.

**905 TPEP NON-COMPLIANCE**

The intent of the Jobs Program is to assist TPEP parents to enable them to participate in Jobs Program activities, accept and maintain employment, and to successfully make the transition from TPEP dependence to self-sufficiency. By doing this we assist the parents in avoiding the imposition of having TPEP benefits withheld and subsequently TPEP case closure.

TPEP non-compliance procedures differ from All Families sanction procedures in that benefits are not progressively sanctioned but withheld in totality. TPEP non-compliance occurs when fewer hours of participation are completed than the number of hours that were scheduled or the TPEP participant [failed to meet other Jobs Program requirements](#) without a good cause. When a TPEP participant fails to meet TPEP work requirements and good cause has not been established, benefits are withheld. Once TPEP benefits are withheld for three payment cycles within a six-month period, the TPEP TANF cash assistance case must be closed.

**Requesting [Good Cause](#)**

The participant must be given an opportunity to explain their reason for not complying with Jobs Program requirements. This is accomplished by sending the *Request for Good Cause Information Notice* (JB-188) within two workdays from the date the incident of non-compliance becomes known to the Jobs Program. This notice must allow ten calendar days from the date the notice is mailed, to contact the Jobs Program to explain why they did not meet the requirements. Also, the notice must include the consequences of non-compliance. Explaining that their TANF cash assistance will be withheld if they fail to contact the Jobs Program case manager and provide a good reason for not meeting the Jobs Program requirements.

- **Establishing Good Cause**

When the participant establishes good cause within ten calendar days, the Jobs Program case manager will send the *Good Cause Has Been Established Notice* (JB-104) within two workdays. This notice informs the participant that good cause has been approved and their benefits will not be withheld

- **Not Establishing Good Cause**

When the participant does not establish good cause, the Jobs Program case manager will send the *Good Cause Has Not Been Established Notice* (JB-204) within two workdays informing the participant that good cause has NOT been established.

In addition, whenever cash assistance benefits are being withheld, a ten-day advance Notice of Adverse Action (NOAA) must be sent to the participant. The last day to request the NOAA is ten days prior to the month when their TANF cash assistance will be withheld or stopped. Notification is accomplished by sending the *TPEP Benefits Withheld/Closed* (A746 English or B746 Spanish) notice. This notice advises the participant of the reason for the withholding, that TPEP cash assistance will be withheld until the participant recompiles and that the TPEP cash assistance will be closed without further notice when a total of three TPEP benefits have been withheld in any six-month period. The Jobs Program case manager must take action to withhold the first full month of benefits allowing for Notice of Adverse Action.

#### **TPEP Cash Assistance Case Closure Due To The Limit Of Withholding TPEP Payments**

The Jobs Program case manager, with supervisory approval, will take actions to close the TANF cash assistance case and the Jobs Program case when three TPEP payments are withheld within a six-month period.

#### **Re-compliance**

Participants must comply with the Jobs Program for two weeks prior to releasing the next available pay cycle. Benefits will not be released when there are less than two weeks available for participation prior to TPEP cash assistance case closure for non-compliance.

### **906 DETERMINING TPEP TEMPORARY DEFERRALS**

Although continuous participation in the Jobs Program is required before TPEP benefits can be paid, an unavoidable circumstance may temporarily prohibit participation. Only one TPEP parent is eligible for a temporary deferral. A participant meeting criteria for a temporary deferral may choose to participate in work activities. If the participant is later unable to participate due to the deferral, benefits will not be withheld.

**Disability**

If a TPEP parent has a verified disability of a temporary nature that is expected to last **less** than thirty calendar days, they will be temporarily deferred. Verification can be obtained from a licensed physician or other personnel acting on the doctor's behalf.

If the disability is expected to last **more** than thirty calendar days, the family is **not** a TPEP family and must have eligibility determined for TANF cash assistance based on All-Families with deprivation due to the parent being disabled.

**907 SPECIAL REQUIREMENTS FOR TPEP PARTICIPANTS UNDER AGE TWENTY**

When both parents are under twenty years of age and both maintain satisfactory attendance at a high school or the equivalent or participate in education directly related to employment for an average of at least twenty hours per week during the month, the TPEP parents have met their participation requirements for the month.

## ARIZONA DEPARTMENT OF ECONOMIC SECURITY



### **JOB PROGRAM**

### **PROGRAM INSTRUCTIONS: DES 2-10.1000**

### **SUBJECT: GENERAL INFORMATION**

## **1000 GENERAL INFORMATION**

This section includes information regarding the TANF Refugee Resettlement Program, Arizona Families F.I.R.S.T., Family Connections, Vocational Rehabilitation, participant case records, issue resolution, fair hearings, displacement, the Americans with Disabilities Act, civil rights, reporting child abuse, sexual harassment, case transfers and purging case records and the Health Insurance Portability Act of 1996.

## **1001 TANF REFUGEE RESETTLEMENT PROGRAM**

The Arizona Refugee Resettlement Program (RRP) is administered through the Division of Aging and Community Services/Community Services Administration of the Arizona Department of Economic Security. RRP promotes successful refugee resettlement through contracts and direct services that effectively use social services formula and cash assistance grants to best enable refugees to achieve social and economic self-sufficiency. RRP information and contacts can be found at:

<http://www.azdes.gov/csa/programs/refugee/>

## **1002 ARIZONA FAMILIES F.I.R.S.T. (Families in Recovery Succeeding Together)**

The Arizona Department of Economic Security and the Arizona Department of Health Services are joint administrators of Arizona Families F.I.R.S.T. available at:

<http://www.azdes.gov/dcyf/first>, offering a continuum of community-based substance abuse treatment services to TANF recipients whose substance abuse is a significant barrier to maintaining or obtaining employment.

## **1003 FAMILY CONNECTIONS**

The Family Connections Program is administered through the Division of Aging and Community Services/Community Services Administration of the Arizona Department of Economic Security. The Family Connections Program accepts referrals from a variety of community resources, including the Jobs Program. The Family Connections Program works with families to help identify strengths and needs, and available options for meeting the needs identified.

## **1004 VOCATIONAL REHABILITATION**

The Vocational Rehabilitation (VR) Program is administered by the Arizona Department of Economic Security's (DES) Rehabilitation Services Administration (RSA). VR is available to individuals with disabilities who need help to maintain employment or who wish to go to work. A VR referral can be made by any agency worker from programs that have coordination and referral relationships with the Arizona Rehabilitation Services Administration VR Program. VR information can be found at:

<http://www.azdes.gov/rsa/vr.asp> .



**1005 PARTICIPANT CASE RECORDS**

Participant case records include both paper and automated files containing information pertinent to the case management activities and services provided to the participant. The automated records must be consistent with the paper records in the case file.

Participant case records must be maintained with accurate and current information in a format that allows effective monitoring of case management activities and participant-related expenditures. Items in the case file should be arranged chronologically by date with the most recent entries on top. Documentation must include services and materials provided to participants in support of the Employment and Career Development Plan.

The Jobs Program case manager will ensure that all information contained in a participant case record is factual and not subjective or inappropriate as case records may be subpoenaed for court hearings, grievances, etc.

**Confidentiality of Case Records**

Confidential information must not be discussed unless directly related to the official duties of Jobs Program staff. Disposal of all trash containing confidential information must be in accordance with DES confidential records destruction. Any material containing confidential information must not be included with general office trash. Documents containing confidential information must not be left around office photocopiers, printers, etc.

**Release of Information without Signed Consent**

The release of confidential information may be required without a participant's consent in order to facilitate services and comply with state and federal regulations. Confidential information may be disclosed for official purposes without the participant's consent. Disclosure is limited to the following:

- Employees of the Department of Economic Security;
- Jobs Programs of other states;
- Arizona Attorney General's Office;
- Approved providers or contractors for the purpose of implementing the Career and *Employment Development Plan*;
- Any federal or federally assisted program which provides assistance or services, in-cash or in-kind, directly to individuals on the basis of need;
- Government auditors when the audits are conducted in connection with the administration of any assistance program by a governmental entity that is authorized by law to conduct such audits; and
- The current address of Jobs Program participants may be released to federal, state, or local law enforcement officer by a supervisor when he or she has contacted the Attorney General's office for guidance.

Participants may review the contents of their own case records at any time, provided a member of the Department is present. Jobs Program staff must review the participant's case record prior to allowing a participant to review their case record. The purpose of this review is the removal of any material obtained from third parties who requested that their information not be released to the participant. A participant may request a reasonable number of copies of material from their own case record.

### **Release of Information to Other Persons and Agencies**

Confidential information cannot be released to anyone not listed in Release of Information without Signed Consent. The participant must be informed of a request for information from sources other than those in Release of Information without Signed Consent.

### **Public Releases of Information**

Jobs Program staff must obtain the participant's permission prior to using information about the participant for any of the following:

- Speeches or presentations. Participants could be motivational speakers to individuals currently participating in the Jobs Program;
- Video tapes or photographs;
- Media news articles or DES agency or administration newsletters;
- Local office bulletin boards, displays, or participant success story usage;
- Recognition certificates and plaques or
- Any other materials identifying (directly or by association) the individual as a Jobs Program participant.

### **Subpoenas**

When a subpoena is received for a case record or for a Jobs Program employee to testify concerning a participant, the person receiving the subpoena must take all of the following actions:

- The subpoena must be given to the local office supervisor.
- The local office supervisor must immediately give information to the District Liaison regarding the subpoena to the Attorney General's Office. The Attorney General's Office will then advise the District Liaison of appropriate action, who then will relay the information to the Jobs Program local office supervisor.
- Information must not be released unless authorized by the Attorney General's Office.

**Requests for Information from Attorneys**

When a request for information regarding a Jobs Program participant is received from attorneys and/or their staff without a written release from the participant, Jobs staff must advise the parties to obtain a subpoena requesting the information.

**1006 ISSUE RESOLUTION**

As a part of the Rights and Responsibilities given to Jobs Program participants, all contracted Jobs Program providers must make the client aware of the three step elevation process (see Jobs Program Users Guide 1000), available to them for resolution of client issues.

**1007 FAIR HEARINGS**

Jobs Program participants, who feel that their TANF cash assistance should not be sanctioned, may request a fair hearing when a sanctioning or withholding action is imposed. A fair hearing is conducted by an impartial state-level hearing officer. When a written request for a fair hearing is received in the Jobs Program local office, it must be date stamped and immediately sent to the local Family Assistance Administration office serving the family. The TANF cash assistance grant may not be reduced pending the results of the fair hearing. The case manager must attend the fair hearing upon FAA's request.

**1008 DISPLACEMENT**

The placement of Jobs Program participants with private or public sector employers, (except for unsubsidized employment) cannot cause the displacement of persons currently employed by participating employers. Jobs Program work experience or community service program assignments will not result in any of the following:

- Displacement of any currently employed worker or position, including partial displacements, such as, the reduction in hours of non-overtime work, wages, or employment benefits.
- Impairment of existing contracts for services or collective bargaining agreements.
- Employment or assignment of a Jobs Program participant or filling of a position when any person is on layoff from the same or substantially equivalent job with the same employer, or when an employer has terminated any regular employee or otherwise reduced its workforce with the effect of filling the vacancy created by hiring a Jobs Program participant whose wages are subsidized under a Jobs Program.
- Infringement on promotional opportunities of any currently employed individual.

The state in accordance with 45 CFR 261.70 uses a grievance procedure to resolve displacement complaints.

**1009 AMERICANS WITH DISABILITIES ACT**

Reasonable accommodations in all aspects of program administration shall be made for individuals with disabilities for training and/or engagement in employment activities.

All forms are available in alternative format and include the Americans with Disability Act statement.

Notices pertaining to training, conferences, or other program or administration activities include the Americans with Disabilities Act statement.

All offices including those of contracted providers of the Jobs Program shall display both the English and Spanish Americans with Disabilities Act Notice posters (POX-248) with Jobs Americans with Disabilities Act representatives listed as contact persons. Each office must have a Jobs Program Americans with Disabilities Act representative. When the Americans with Disabilities Act representative is unknown, the case manager must call the Jobs Program Central Office Americans with Disabilities Act coordinator.

**1010 CIVIL RIGHTS**

The Jobs Program's civil rights policies are based on federal civil rights legislation, Arizona Revised Statutes, Arizona Department of Administration Personnel Rules, and the Department of Economic Security Internal Instructions Manual.

**Nondiscrimination**

Jobs Program staff shall not discriminate against anyone for any reason including, but not limited to, discrimination on the basis of any of the following:

- Race,
- Color,
- Religion,
- National Origin,
- Gender,
- Age,
- Disability, and
- Political Affiliation.

No person can be denied services, benefits, privileges, or employment as a consequence of having participated in any way in a discrimination complaint process against DES, its providers, or their employees.

**1011 REPORTING CHILD ABUSE**

Jobs Program staff must report any known or suspected instances of child (under age 18) abuse and/or neglect. This includes situations where a child is or may be experiencing physical or mental injury, sexual abuse or exploitation, negligent treatment or maltreatment when the child's health or welfare is threatened. Jobs Program staff must report such instances by calling the Child Abuse Hotline at 1-888-SOS-CHILD (1-888-767-2445). It is only a request for an investigation. The person making the report does not need to prove the abuse. Investigation and validation of child abuse reports are the responsibilities of Child Protective Services (CPS). The Child Abuse Hotline will then make a referral to the appropriate CPS office. Confidential information known to the Jobs Program may be disclosed to CPS without the participant's consent.

**1012 CASE ASSIGNMENT**

Case assignment to the participant's local Jobs Program office is based upon the zip code of the participant's residential address. This section provides the policies regarding case transfer for active Jobs Program cases in order to accommodate a change in the participant's residential address. Procedures regarding case transfers are located in the Jobs Program Users Guide, Section 1001 Case Assignment.

**Jobs Program Office Change with Same Contracted Provider**

When the participant has moved, resulting in a change in case assignment from one Jobs Program local office to another under the same contracted provider, Jobs Program staff must:

- Review the case record to ensure all applicable system updates are correct and complete;
- Notify the participant of the change by sending the *Notice of Change* (JB-138) through JAS; and
- Contact the receiving Jobs Program local office to advise them the case is being transferred.

Participants who do not wish to have their case transferred to a new office may keep their original case assignment, unless the change in address results in a change of the Jobs Program contracted provider.

**Jobs Program Office Change with Different Contracted Provider**

When the participant has moved in or out of Maricopa County, resulting in a change of the Jobs Program contracted provider, Jobs Program staff will:

- Review the case record to ensure all applicable system updates are correct and complete;
- Notify the participant of the change by sending the *Notice of Change* (JB-138) through JAS; and
- Contact the receiving Jobs Program contractor to advise them the case is being transferred within two days of this notification.

Case files will be sent physically or electronically to the new contracted provider within two days of notification with the following exceptions:

- When the case is identified as meeting the work participation rate requirements during the month, the case will be transferred on the first day of the following month after notification of the change of address. This policy ensures the original Jobs Program contracted provider receives credit for participation during the time frame in which the case was assigned to their Jobs Program local office. Both Jobs Program contracted providers will designate a "Point of Contact" who will coordinate any services for the participant during this time.
- The original Jobs Program contracted provider shall retain cases when the change in case assignment occurs during the 180-day post-employment follow-up period, the participant remains employed and the cash assistance remains closed. This policy ensures the original Jobs Program contracted provider receives credit for retention. The designated Points of Contact will work together to coordinate transitional services in the best interest of the participant.

**Example:** Participant Paul is employed at ACME, Inc. in Pima County. Paul moves to Maricopa County and continues to work for ACME, Inc. at their Maricopa County Branch. Paul's case will be maintained in Pima County by the Jobs Program contracted provider as Pima County initiated the Employment and Career Development Plan.

- Cases with a payment pending to the Jobs Program contracted provider for reimbursement of a Jobs Program funded supportive service **must not** be transferred in the automated system until the following Thursday. Payroll warrants are generated weekly on Thursdays for payment transactions keyed from the previous Thursday through close of business on Wednesday. Procedures for payment processing are available in the Jobs Program Users Guide, Section 900 Payment Processing.

**Example:** On Monday, Jobs Program staff in Gila County process a payment reimbursement request for a car repair that has been paid on behalf of Participant Paul. On Wednesday Paul notifies Jobs Program staff in Gila County that he is now residing in Maricopa County. Jobs Program staff in Gila County must wait until the next day, Thursday, to transfer the case in the automated system. This process ensures that payment is issued to the Jobs Program contracted provider in Gila County.

- When a participant is participating in an educational/training activity funded by the Jobs Program contracted provider, the case will remain with that contracted provider until the completion of the educational/training activity or the closure of the educational/training activity, whichever occurs first. The designated Points of Contact will work together to coordinate any services in the best interest of the participant.

**1013 PURGING CASE RECORDS**

Closed Jobs Program case records remain in the Jobs Program local office for at least one-year after the Jobs Program case closes unless there is an overpayment in the case. Following the one-year, the case record is sent to the Records Management Division where the record will be retained for two additional years.

**1014 HEALTH INSURANCE PORTABILITY ACT OF 1996 (HIPPA) SECURITY POLICY**

In accordance to the standards established by HIPPA regarding the security of Electronic Protected Health Information (EPHI) all components of DES and DES business associates including the Jobs Program contracted provider, will protect the confidentiality, integrity, and availability of EPHI when it is created, received, stored, maintained, or transmitted. All Jobs Program contracted providers must have procedures in place to protect the security of EPHI.

All Jobs Program participants must agree to give Jobs Program private contractors access to AHCCCS health insurance eligibility information contained in AZTECS prior to it being disclosed to a Jobs Program private contractor. Participants are advised that they the right to agree or disagree to give Jobs Program private contractors access to AHCCCS health insurance eligibility information contained in AZTECS. See the Jobs Program User's guide for specific procedures.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY



## JOBS PROGRAM

## PROGRAM INSTRUCTIONS: DES 2-10.1100

## GLOSSARY

### 1100 GLOSSARY

This section contains definitions used throughout the Jobs Program Policy Manual.

<b>All Family</b>	TANF cash assistance household with at least one dependant child in which one parent is deceased, disabled or does not reside with the family.
<b>Applicant</b>	A person who has applied directly, or through their authorized representative, for public assistance for himself, herself or others.
<b>Assessment</b>	The process of gathering information and evaluating data regarding the factors that affect the participant achieving self-sufficiency.
<b>Benefit Month</b>	The calendar month for which TANF cash assistance is issued based on anticipated income and circumstances.
<b>Case Record</b>	The file maintained for each Jobs Program participant.
<b>Child Care Administration (CCA)</b>	The administration within the Department of Economic Security that administers Child Care Assistance services.
<b>Community Resources</b>	Community, faith-based, or non-profit organization that provides services to the general public at no cost to the participant or the Jobs Program. Funding for these services are not TANF related.
<b>Core Activities</b>	Core activities are one of two types of the federally defined countable work activities. Participants must participate in core activities for an average of twenty hours per week prior to assigning supplemental activities. Core activities consist of unsubsidized employment, subsidized employment, on-the-job training, job search and job readiness assistance, work experience, community service and vocational education.
<b>Dependent Child</b>	Dependent child, as defined by FAA, is any child under age 19, and when age 18, meets student requirements and for whom a parent or caretaker relative is requesting TANF cash assistance.



<b>Dependent Teen</b>	Dependent teen is under age 19 and either a non-parent, non-custodial parent, or custodial parent who is not a head of household, but who is a member of a family receiving TANF cash assistance.
<b>Employment and Career Development Plan (ECDP)</b>	ECDP is an agreement between the participant and the Jobs Program that lists the steps required of the participant, services to be provided by the Jobs Program, and the referrals made to address barriers to participation in order to transition the participant to economic independence.
<b>Exempt</b>	Individuals participating in the TANF cash assistance program who are not required to participate in Jobs Program work activities when they meet certain criteria. Exemptions are determined by the Family Assistance Administration.
<b>Fair Hearing</b>	A fair hearing is a process through which an applicant or recipient of public assistance may request review of FAA's timeliness, or results of the eligibility determination, by an impartial third party. The Department of Economic Security (DES) employs state level hearing officers to conduct impartial third party reviews of eligibility determination.
<b>Fair Labor Standards Act (FLSA)</b>	Also known as Federal Wage and Hour Law, enacted by Congress in 1938 to eliminate unsafe labor practices and provide for an hourly federal minimum wage.
<b>Family Assistance Administration (FAA)</b>	FAA is an administrative unit within the Department's Division of Benefits and Medical Eligibility and is responsible for providing cash assistance to eligible persons.
<b>Federal Minimum Wage (FMW)</b>	The current FMW is \$6.75.
<b>Federal Work Activities</b>	Work activities defined by the federal government that count towards the work participation rate.
<b>Good Cause</b>	A finding by the Jobs Program or DES hearing officer that a participant proved he or she had an acceptable reason for refusing or failing to participate in Jobs Program activities, to accept employment, or cooperate in any other Jobs Program requirement.
<b>Gross Income</b>	The total amount of earned income plus unearned income prior to any deductions.
<b>Jobs Program</b>	The Jobs Program is the TANF cash assistance work program for Arizona.

<b>Jobs Program Preliminary Orientation</b>	An overview of the Jobs Program. Applicants must attend the orientation prior to TANF cash assistance approval.
<b>Licensed Physician</b>	A licensed physician may include any of the following: <ul style="list-style-type: none"> <li>• Medical doctor,</li> <li>• Doctor of osteopathy,</li> <li>• Doctor of naturopathic medicine,</li> <li>• Chiropractor,</li> <li>• Psychiatrist.</li> <li>• Board-certified psychologist, or</li> <li>• Other personnel acting on the doctor's behalf.</li> </ul>
<b>Lifetime Benefit Limit (LBL)</b>	The sixty-month federal lifetime benefit limitation for receiving TANF cash assistance.
<b>Notice of Adverse Action (NOAA)</b>	A notice informing TANF cash assistance recipients when a change results in a decrease of their cash assistance amount or case closure. The NOAA must be sent at least ten calendar days before the change in the TANF cash assistance benefits occur.
<b>Participant</b>	Any TANF cash assistance recipient selected to participate in the Jobs Program.
<b>Personal Responsibility Agreement (PRA)</b>	An agreement signed by the TANF cash assistance applicant agreeing to become self-sufficient through employment and comply with all program requirements as a condition to receiving cash assistance.
<b>Recipient</b>	An individual receiving TANF cash assistance.
<b>Sanction</b>	A reduction or termination of TANF cash assistance which applies to "All Families", (exception TPEP), who fail to participate in the Jobs Program without establishing good cause or proving intent to cooperate.
<b>State Activities</b>	State activities are not considered in the calculation of the federal work participation rate, but serve to eliminate barriers with the goal of eventual participation in federal work activities.
<b>Satisfactory Attendance</b>	Satisfactory attendance in high school or GED activities refers to a participant who has not completed high school or received a GED, is attending high school or participating in GED activities, and meeting attendance requirements established by the school or GED program.

<b>Satisfactory Progress</b>	A participant is meeting, on a periodic basis, a consistent level of progress based on standards established by the educational institution or program, and approved by the Jobs Program, in which the participant is enrolled for educational or training activities.
<b>Supplemental Activities</b>	Federally defined work activities that count toward the work requirement only after meeting the required hours in core activities. Supplemental activities include: jobs skills training directly related to employment, education directly related to employment and satisfactory attendance in high school or GED preparation classes.
<b>Supplemental Payment</b>	Payments made to a participant whose net wages do not equal the combined benefit amount of TANF cash assistance and food stamps for which they are eligible.
<b>Support Services</b>	Services provided to a Jobs Program participant that facilitate the participant's ability to participate in work activities, accept and maintain employment, and successfully make the transition to employment.
<b>Temporary Assistance for Needy Families (TANF) Cash Assistance Program</b>	TANF provides assistance and work opportunities to needy families by granting states the federal funds and flexibility to develop and implement their own welfare programs. The FAA administers the TANF Cash Assistance Program.
<b>Temporary Deferral</b>	A Jobs Program participant who is temporarily deferred from participation in the Jobs Program.
<b>Transitional Child Care (TCC)</b>	TCC is a program administered by the Child Care Administration that provides child care assistance for a period of time after eligibility for TANF cash assistance.
<b>Transitional Medical Assistance (TMA)</b>	TMA provides AHCCCS coverage for a period of time after losing eligibility for 1931 Medical Assistance (MA) due to employment income of the specified relative.
<b>Two-Parent Employment Program (TPEP)</b>	TANF cash assistance households with two parents, who have at least one dependant child in common, reside in the home and are able to work.

<b>Withholding</b>	Retention of TPEP cash assistance benefits, for TPEP parents who fail to participate or comply with Jobs Program requirements without good cause.
<b>Work Participation Rate (WPR)</b>	The percentage of adults and minor heads of households receiving TANF cash assistance, who must participate in federal work activities for a minimum number of hours each week averaged during a month.